Terms of Reference, as approved by the States of Jersey on 6th March 2013

The Committee of Inquiry ("the Committee") is asked to do the following –

1. Establish the type and nature of children's homes and fostering services in Jersey in the period under review, that is the post-war period, with a particular focus on the period after 1960. Consider (in general terms) why children were placed and maintained in these services.

2. Determine the organisation (including recruitment and supervision of staff), management, governance and culture of children's homes and any other establishments caring for children, run by the States and in other non-States run establishments providing for children, where abuse has been alleged, in the period under review and consider whether these aspects of these establishments were adequate.

3. Examine the political and other oversight of children's homes and fostering services and other establishments run by the States with a particular focus on oversight by the various Education Committees between 1960 and 1995, by the various Health and Social Services Committees between 1996 and 2005, and by ministerial government from 2006 to the current day.

4. Examine the political and societal environment during the period under review and its effect on the oversight of children's homes, fostering services and other establishments run by the States, on the reporting or non-reporting of abuse within or outside such organisations, on the response to those reports of abuse by all agencies and by the public, on the eventual police and any other investigations, and on the eventual outcomes.

5. Establish a chronology of significant changes in childcare practice and policy during the period under review, with reference to Jersey and the UK in order to identify the social and professional norms under which the services in Jersey operated throughout the period under review.

6. Take into account the independent investigations and reports conducted in response to the concerns raised in 2007, and any relevant information that has come to light during the development and progression of the Redress Scheme.

7. Consider the experiences of those witnesses who suffered abuse or believe that they suffered abuse, and hear from staff who worked in these services, together with any other relevant witnesses. It will be for the Committee to determine, by balancing the interests of justice and the public interest against the presumption of openness, whether, and to what extent, all or any of the evidence given to it should be given in private. The Committee, in accordance with Standing Order 147(2), will have the power to conduct hearings in private if the Chairman and members consider this to be appropriate.

8. Identify how and by what means concerns about abuse were raised and how, and to whom, they were reported. Establish whether systems existed to allow children and others to raise concerns and safeguard their wellbeing, whether these systems were adequate, and any failings they had.

9. Review the actions of the agencies of the government, the justice system and politicians during the period under review, in particular when concerns came to light about child abuse and establish what, if any, lessons are to be learned.

10. Consider how the Education and Health and Social Services Departments dealt with concerns about alleged abuse, what action they took, whether these actions were in line with the policies and procedures of the day, and whether those policies and procedures were adequate.

11. Establish whether, where abuse was suspected, it was reported to the appropriate bodies, including the States of Jersey Police; what action was taken by persons or entities including the police, and whether this was in line with policies and procedures of the day and whether those policies and procedures were adequate.

12. Determine whether the concerns in 2007 were sufficient to justify the States of Jersey Police setting in train 'Operation Rectangle'.

13. Establish the process by which files were submitted by the States of Jersey Police to the prosecuting authorities for consideration, and establish –

    - Whether those responsible for deciding on which cases to prosecute took a professional approach;
    - Whether the process was free from political or other interference at any level.

    If, for these purposes, or as a result of evidence given under paragraph 7, in the opinion of the Chairman of the Committee, it would be of assistance that one or more of the prosecution files underpinning any prosecution decision may be examined in a manner to be determined by the Committee.

14. Set out what lessons can be learned for the current system of residential and foster care services in Jersey and for third party providers of services for children and young people in the Island.

15. Report on any other issues arising during the Inquiry considered to be relevant to the past safety of children in residential or foster care and other establishments run by the States, and whether these issues affect the safety of children in the future.

ABUSE AND SYSTEMIC FAILINGS: DEFINITIONS

"Abuse" was behaviour which either (a) involved improper sexual or physical behaviour by an adult or another child towards a child; or (b) in the case of emotional abuse, was improper behaviour by an adult or another child which undermined a child's self-esteem and emotional well-being, such as bullying, belittling or humiliating a child; or (c) amounted, through acts or omissions, to neglect of the child; or (d) took the form of adopting or accepting policies and practices, such as numbering children or ignoring or undermining sibling relationships, which ignored the interests of the children, or failing to put a stop to such policies and practices.

A "systemic failing" by an institution consisted of either (a) a failure to ensure that the institution provided proper care; or (b) a failure to ensure that the children would be free from abuse so far as was reasonably possible; or (c) a failure to take all proper steps to prevent, detect and disclose abuse; or (d) take appropriate steps to ensure the investigation and prosecution of criminal offences involving abuse.

A "systemic failing" by the state consisted of a failure to ensure either (a) that the institution provided proper care; or (b) that the children in that institution would be free from abuse so far as was reasonably possible; or (c) a failure to take all proper steps to prevent, detect and disclose abuse in that institution, or (d) take appropriate steps to investigate and prosecute criminal offences involving abuse.

"Systemic failings" could also have taken place in one or more of the following ways:

(a) where some or all of those who had contact with children in residential establishments, including volunteers and visitors, adopted abusive child care practices in common;

(b) where staff in managerial positions within residential establishments initiated, encouraged or condoned abusive child care practices or failed to put a stop to them;

(c) where people in positions of responsibility for the institutions running residential services initiated, encouraged or condoned abusive child care practices or failed to put a stop to them;

(d) where those responsible for the inspection, oversight, policy-making or funding of the institutions providing residential services initiated, encouraged or condoned abusive practices, or failed to put a stop to them, or failed to take appropriate steps to identify, prevent or remedy abuse.

Other examples of systemic failings by the state, by reference to prevailing standards at the relevant time, would include the following:

(e) failing to have in place an adequate legislative/regulatory framework for the welfare and protection of children looked after by the state or through fostering or adoption;

(f) failing to ensure that there were sufficient and appropriately trained staff in residential establishments;

(g) failing to ensure that both children and staff were subject to monitoring

1

and review;
(h) failing to ensure that there was an adequate system in place for the reporting of abuse and/or neglect and ensuring that the said reports were escalated as appropriate;
(f) failing to take appropriate action in circumstances where the States of Jersey knew or ought to have known that abusive practices were taking place.

2

To } STANDY

835/3/4 (6)

000037

DEPARTMENT OF HEALTH AND SOCIAL SECURITY
SOCIAL WORK SERVICE
SOUTHERN REGION

REPORT OF THE INSPECTION OF THE CHILDREN'S SECTION STATES OF JERSEY

FEBRUARY-MARCH
1981

MR DAVID LAMBERT
MISS ELIZABETH WILKINSON
SOCIAL WORK SERVICE OFFICERS

REPORT OF THE INSPECTION OF
THE CHILDREN'S SECTION
STATES OF JERSEY

This Report on the work of the States of Jersey Children's Section records the results of our inspection of statutory and voluntary child care services on the Island, carried out during February and March 1981.

We would like to record our thanks and warm appreciation of the welcome and co-operation we received from the members and staff of the Jersey Education Committee. In particular we would like to thank Senator Jeune, President of the Committee, and Deputy Mrs Ann Beal, chairman of the Children's Sub-committee, for their encouragement, and for allowing us the freedom to examine all aspects of the committee's work in the child care field. Special thanks are also due to Mr John Rodhouse, Director of Education, and Mr Charles Smith, Children's Officer, for their very close and willing co-operation with the detail of the inspection. To the staff of the Section and to workers in the voluntary child care sector we would wish to extend our sincere thanks, and to record how heartening it was to work alongside a group of people with such a clear sense of commitment to the children and families in their care.

David Lloyd.
Elizabeth Wilkinson

FEBRUARY-MARCH
1981

CONTENTS

		PAGE
INTRODUCTION		
1.	Background to inspection	1
2.	Method of work	2
THE CHILDREN'S SECTION		
3.	Organisation	4
4.	Resources and finance	4
5.	Legislation	5
6.	Policy	6
FIELD WORK		
7.	Accommodation	7
8.	Administrative support	7
9.	Organisation of fieldwork	9
10.	Levels of workload	10
11.	Current workload	12
CASE LOAD MANAGEMENT		
12.	Intake and duty	18
13.	Monitoring	18
14.	Supervision	19
15.	Case acceptance and closure	20
16.	Records	20
17.	Reviews	21
SPECIFIC SERVICES		
18.	Fostering Programme - levels of service - recruitment and assessment of foster parents - Boarding-out Order 1970 - support to foster parents - boarding out allowances - professional fostering scheme - privately placed foster children	23
19.	Adoption service	28
20.	Child Abuse	31
21.	Day care for under-5s	33
22.	Education Welfare	36
23.	Services for young offenders	38
RESIDENTIAL PROVISION		
24.	Haut de la Garenne	44
25.	Family group homes	55
26.	Voluntary homes	59
27.	Hostels for older adolescents	61

28. STAFF DEVELOPMENT 65

29. CONCLUSIONS AND RECOMMENDATIONS 67

Annex A – Suggested restructuring 76

Annex B – Suggested future pattern of residential provision 80

APPENDICES

1. Children in Care – States of Jersey Education Committee as at 31.1.81 85

2. Client Referrals to Jersey Children's Section 86

3. Duties of Child Care Staff (priorites document) 87

INTRODUCTION

1. Background to Inspection

1.1 In 1959 when the Children's Section in the States of Jersey was first established, Children's Departments as set up by the Children Act 1948 existed in all local authorities in the United Kingdom. The Central Government department with responsibility for the child care service was the Home Office which established an Inspectorate with the duty to report to the Secretary of State. These duties have passed to Social Work Service of the Department of Health and Social Security now that the Social Services Act 1970 provides for an all embracing social services department in each local authority. At the time of the creation of the Children's Section in Jersey, arrangements were made with the United Kingdom that the services of the Inspectorate could be available by invitation to the States.

1.2 A full scale Inspection was last requested and carried out in 1971. Since then contact has been maintained between Social Work Service and the Children's Section of Jersey and the Children's Officer is invited to any meeting held by Regional Social Work Service at which matters of professional importance to him may be discussed. This provides one channel by which the States keep in touch with current developments and changing practice although the section has access to other professional networks. The changing pattern of service delivery on the mainland must however have some impact - however tangential - on the States' services. One obvious result is that both the Section and individual officers no longer have a corresponding peer group with whom they can identify. In discussion with workers this aspect was repeatedly mentioned and we detected a certain anxiety amongst some that they might be in danger of being "out on a limb". These feelings appear to have been exacerbated when in 1978 there was a child abuse fatality with all the adverse publicity that such tragedies attract. The consequent enquiry conducted by the Medical Officer of Health and the Director of Education who is the Chief Officer responsible for the Section inevitably raised levels of anxiety amongst staff. The subsequent restructuring of the Children's Section at the instigation of the Director further lowered morale and led the child care Officers to doubt the value that was placed on the work of the Children's Section. The Director of Education is however anxious that the child care staff regain their confidence and accept that their contribution to the work of the Education Committee is appreciated.

1.3 It would seem that these various factors all contributed to the request for the Children's Section to be inspected. This request was passed to Regional Social Work Service in 1980. However the very nature of an inspection opens up promotional and developmental issues on professional and administrative matters and comment is therefore included in this report on these aspects.

1.4 It was agreed that the inspection should be undertaken by two Social Work Service Officers, Mr D Lambert, who has considerable experience in residential child care work, and Miss E Wilkinson, formerly Children's Officer of an English County. Terms of reference for the inspection were spelt out as follows:-

1. To examine the laws relating to Children. (Children (Jersey) Law, 1969 and Adoption (Jersey) Law, 1961, and subsequent amendments.)

2. To enquire into the way in which the law is implemented and the general administration of the Section. This to include an examination of the role of the Children's Officer, the Senior Child Care Officers and the Child Care Officers, the allocation of work and the method of recording etc.

3. To examine the role of Haut de la Garenne as the Department's main residential child care establishment and comment on the way in which it is organised.

4. To examine the way in which Group Homes operate and comment on this.

5. To recommend ways in which training might be implemented for all staff bearing in mind Jersey's isolated position in relation to the main training establishment in the United Kingdom.

6. To make general recommendations on how the Child Care Service might be improved.

2. Method of Work

2.1 Mr Lambert visited Jersey from November 12 to 14, 1980 in order to assess the nature of the task and to hold preliminary discussions. In the course of these he met the Chairman and vice-Chairman of the Children's Sub-Committee, the Director of Education, the Children's Officer and child care staff from the field and residential sector. He also paid brief visits to all the statutory and voluntary residential establishments.

2.2 With this background knowledge it was arranged that the Social Work Service Officers should return to the Island for two separate weeks ie February 23 to 27 and March 30 to 3 April. In the event the second week was brought forward to start on the afternoon of March 27 to enable them to be present at a joint seminar to be held the following day and to be organised with the Children's Section of Guernsey. It was recognised that the two weeks allowed would mean a tight timetable but it was felt that the work could be accomplished in this amount of time.

2.3 The first week was devoted to looking at the field services and attending a meeting of the Children's Sub-Committee. In the first three days the Children's Officer and all the field work child care staff (except one officer on sick leave) were interviewed individually. Each session lasted about three hours. The main focus was to look at caseloads, discuss approaches to work and look at one or two cases in greater detail. Details of each caseload had been prepared beforehand, and for each child in care a brief résumé giving the child's name, date of birth, date of admission to care, placement and social work plan was available. These had been studied beforehand by the Social Work Service Officers and provided much valuable statistical information. Child care staff were asked to choose cases for discussion and to bring the case records to their interviews. The Social Work Service officers chose some ten files

on boarded-out children to look at in greater detail, together with the records of the relevant foster parents. Two separate meetings of a small group of representative staff were also held to discuss fostering and child abuse. The Children's Officer was present at both. A meeting of the Children's Sub-Committee was also attended. At the end of the week the Director of Education and the Children's Officer were given some verbal feedback on first impressions and an assurance that on statistical evidence the vacant post of child care officer should be filled.

2.4 During the second week the Social Work Service Officers both spent some thirtysix hours at Haut de la Garenne including an overnight stay. Time was spent in each of the three living units, in discussion with the senior staff and in looking at records. All other residential establishments were visited by one Social Work Service Officer. An afternoon and evening were spent at each of the two family group homes and Brig-y-don (a voluntary home), a whole day at Les Chenes residential School, and a few hours at both the hostels and La Preference (a voluntary home). In addition discussions were held with the Chief Nursing Officer, the Chief Probation Officer and the Educational Psychologist, and the child psychiatric unit at the General hospital was also visited. Both Social Work Service Officers attended the one day conference on "Adolescence - A Policy for the Eighties". This conference provided the opportunity to meet workers from Guernsey and to hear something of their work. This was particularly opportune because of the arrangements for adoption which exist between the two Islands. There was also the opportunity during the second week for Miss Wilkinson to attend a case conference which was held to discuss a reported incident of child abuse.

2.5 It was agreed that the Social Work Service Officers should return to present their report and discuss their findings later in the year and subsequently arrangements were made for this to be in September 1981.

THE CHILDREN'S SECTION

3. Organisation

3.1 The Children's Section was set up in 1959 as part of the Education Department and the Director of Education is the responsible Chief Officer, with the Children's Officer being a Sectional head. In its twenty-one years of existence there have been only two Children's Officers. Charles Smith took over the post in 1972 and had been the Deputy since 1962. In many respects the original mores on which the Section was founded still apply. The staff and residential provision has altered over the years to meet different demands and organisational structures have been adapted, but the basic approach has not changed, neither has the Committee structure.

3.2 The Children's Committee is a sub-committee of the Education Committee and meets monthly. It functions in effect as a case committee and receives considerable confidential information about children and their families, and on the residential establishments. There is little evidence that as a body it makes major policy decisions and it would seem that when such decisions need to be made it is a matter for the Education Committee.

4. Resources and Finance

4.1 Since the last inspection in 1971 there has been an increase in field work staff at all levels. The Section now has the following establishment:-

Children's Officer
2 Senior Child Care Officers
7 Child Care Officers
3 Child Care Assistants
1 Child Care Trainee (new post from Mid March 1981)
4 Secretarial Staff

(This is an increase of 1 Senior CCO, 1 CCO and 1 CC Assistant)

4.2 Residential resources are provided in four establishments. The main home is Haut de la Garenne, an all-age Children's Home for up to 60 children of both sexes. At the time of the inspection the home was accommodating up to 45 children due to the temporary closure of one unit. There are two family group homes, Le Squez and Clos les Sables. The small units care for between six and nine children. At the time of the previous inspection there were 5 family group homes, but various circumstances have led to the closure of three in the meanwhile. The Education Committee opened Les Chenes residential school for 20 older difficult children in 1978. This establishment is governed by a sub-committee of the Education Committee, but the Principal of the school is generally accountable to the Children's Officer for day to day matters. Les Chenes also provides remand facilities for young people. Staffing levels in all residential establishments have improved and there are now 39½ residential care staff of different grades.

4.3 The Section looks to the Voluntary and Private Sector, not only for the provision of some residential care, but also for play-groups and day care. There are two independent Voluntary Children's Homes, La Preference, and Brig-y-Don, and two hostels for adolescents administered by the Jersey Association for Youth and Friendship. This organisation also provides bed-sitter accommodation for young women. At the beginning of 1981 there were 34 registered play-groups and nurseries, and 85 registered child minders.

4.4 The following information gives some idea of the order of expenditure. Administrative costs, apart from salaries, of the fieldwork Section are not included.

Running Costs	Actual Exp. 1979	Probable 1980	Budget 1981
Haut de la Garenne	238.245	298.800	316.800
Family Group Homes	40.441	58.500	76.300
Les Chenes	89.086	103.000	111.500
Other Residential Care	27.450	22.000	15.300
Boarding Out	142.302	165.000	169.000
Salaries of admin and field work staff, approx.			120.000
Staff training			1.500
Total Budget 1981, less admin costs			£810.400

5. Legislation

5.1 The principal Child Care statute is the Children (Jersey) Law 1969 and subsequent amendments. This deals with the legislative and committee structure, the protection of children in both civil and criminal proceedings (including matrimonial proceedings), the care of children, regulations relating to voluntary homes and regulations relating to Nurseries and Child Minders. The amendments have all been necessary because of changes in legislation on the mainland and the need to integrate with provisions there. Proposals to tighten up the provisions relating to privately placed foster children have recently been drafted. Adoption legislation is covered by the Adoption (Jersey) Law of 1961 and amendments, and the accompanying Rules.

5.2 It was part of our terms of reference "to examine the laws relating to children ....." and in the course of the inspection we found that these were largely providing a sound, statutory basis on which services have been built. The exceptions are dealt with in the body of the report but can be briefly listed as 1. a duty to review the progress of each child in care at 6 monthly intervals 2. a duty to provide a preventive service and 3. a duty to provide community based programmes for children at risk of delinquency.

5.3 We considered whether we should be offering advice on matters included in the Children Act 1975 such as custodianship, freeing for adoption, and the adopted persons right to have access to his adoption records but have decided that we are not in a position to comment. For example we understand that the Jersey inheritance laws are different from those in the United Kingdom and this could affect the question of custodianship or freeing for adoption. The right of a person to have access to his adoption records has been hotly debated in the UK, but five years of experience of this in England (and much longer in Scotland) indicates that the difficulties which were foreseen have not materialised. The circumstances of an island community however are so different that they must have an impact on this question. For reasons such as these we feel that it is not possible to offer guidance even though the professional issues should be considered and debated by those most closely involved.

6. Policy

6.1 The legislation underwrites and determines departmental policy. There appears to be little expressed policy in the form of written documents or in the form of procedural guidance to staff which by its nature often implies policy. For instance, projects such as the professional fostering scheme emphasise the importance of fostering and a commitment to this method of care, but there is little indication that fostering as such is seen as fundamental to the Section's strategy or that preventive and rehabilitative work to keep families together has been given a place of prime importance. One of the few written statements of policy is the priorities document which was presented to Committee in 1980. (Appendix 3) This lists in priority groupings the work which Child Care Officers should undertake. Preventive work is very low on the list. There is an assumption that voluntary sources can provide much of what is needed; child care officers spend a considerable amount of their time writing to local charities in an effort to get financial or material help for many families. This work includes attempting to get medical fees paid, because the Island's medical services are privately based. The policy in this seems to be one where voluntary sources are tapped before statutory ones.

FIELDWORK

7. Accommodation

7.1 The fieldwork and administrative staff of the Children's Section work together in office accommodation in St Saviour. They occupy a wing on the first floor of the Education Department building at Highlands. This building is about a mile from the town centre and - as its name implies - is on a rising site above the town. It is therefore not easily accessible to clients, and personal callers are said to have dropped off considerably since the Section moved. Originally the Children's Officer was in separate accommodation in a central position in the town and this was much more accessible to the public.

7.2 The child care officers work in two rooms and are each housed in a large room with the senior child care officer having a small room off. Clerical staff occupy two medium sized rooms. The child care assistant dealing with school attendance occupies a desk along with clerical staff. The Children's Officer has his own room. There is also one small waiting room. Accommodation for all staff is therefore limited but not over-crowded. There are advantages in the Section being accommodated in this way and we feel that standards of work are best maintained by these arrangements.

7.3 Two particular aspects are of concern. It is not ideal for four or five child care officers to share a room, even when they each have a desk and adequate telephones, as interviewing facilities are consequently restricted. However these arrangements did not appear to worry the staff. Secondly the arrangements for keeping closed files in cabinets in the main corridor because of the shortage of space is of concern, as anyone, including the public, has access to this part of the building. There are therefore worrying aspects of security for the staff who are responsible for the records.

8. Administrative Support

8.1 The Section has the support of 4 clerical officers - 1 secretary, 1 junior secretary and 2 shorthand typists. The secretary has responsibility for oversight of the other clerical workers and is secretary to the Children's Officer. The junior secretary works chiefly for the two senior child care officers. The two shorthand typists each act as team clerk to one of the two child care teams, but because of pressures some of this work has to be undertaken by the two secretaries. Between them the clerical staff are responsible for keeping all the office systems and registers up to date.

8.2 In providing support to the professional staff, the clerical staff are responsible for typing all reports, keeping individual case records up to date and dealing with messages and routine matters in the absence of the child care officer. A good clerk can therefore relieve the professional officer of administrative and clerical duties connected with the case. During their work they can become knowledgeable about detail and consequently can often deal with messages in a responsive manner. It is important therefore that on grounds of support and on grounds of confidentiality that they are closely integrated with the child care teams. All child care staff spoke well of the administrative help they receive and the way in which administrative staff respond to members of the public.

8.3 The bulk of the financial work incurred by the Section is dealt with by the finance section of the Education Department but the Children's Officer authorises accounts for payment.

8.4 The Section has set up six separate card index systems:-

1. for every referral to the Section (referral statistics are also gathered)

2. for each child in care showing his name, home address, religion, date of birth, parents names, other members of the family, particulars of legal status and details of placements

3. for each unmarried mother referred to the Section

4. for private foster homes and foster children

5. for foster parents

6. for children at risk.

8.5 The master card index for every one who has contact with the Section indicates where the relevant papers or file are lodged. This appeared to work satisfactorily. The card index for each child in care provides basic information as might be held on a register, but in no way acts as a reminder system of when visits might be due, medical attention is needed, or when reviews are due.

8.6 The card index system covering children at risk is referred to elsewhere; it was originally decided to set this up as a register for each child who might have come to notice because of a delinquent act. As the Parish Hall Enquiry System operates in the parish in which the delinquent act is committed, and it not linked to the child's parish of residence, it is theoretically possible for children to be summoned to a number of enquiries, with one having no knowledge of the others. The cards simply give details of name and address together with the nature of the information that is known. There is also a space to enter any requests for information. We were told that this system is very seldom used, and is not serving the purpose for which it was intended - namely that before proceeding with an enquiry a Constable can check if anything is known about the child. It is of concern that the details of children at risk of child abuse have also been incorporated into this system, and this we feel is wrong.

8.7 The other systems appeared to serve the purposes for which they were intended but we would query the value of retaining a separate index of unmarried mothers now that this work has considerably lessened.

8.8 Other records which are kept relate to adoption placements and cases where the Section staff have been appointed as Guardian-ad-litem. These were not up-to-date when inspected.

9. Organisation

9.1 The two child care teams work under the direction of a senior child care officer. Mr Skinner's team has a complement of 4 child care officers and a child care assistant; one of the CCO posts is temporarily vacant and awaiting the outcome of the inspection before a decision on filling it is made. Mrs Chappell's team has three child care officers and a child care assistant. Although child care officers carry a cross-section of the work of the department, recognition is given to individual strengths and weaknesses, and any one officer may carry a weighting of a particular type of work eg teenagers or delinquents. The child care assistants have some general casework but also carry responsibility for registering and inspecting child minders. The seniors are also responsible for registering and inspecting playgroups and nurseries.

9.2 Both teams cover the whole Island and do not work to a geographical patch. We were assured that the system of allocating work based on the team which receives the referral works by the law of averages and ensures a fair distribution of the total load. Everyone appeared quite satisfied with this arrangement. There were some doubts expressed about the basic two team structure, which is of fairly recent innovation. Prior to this Mr Skinner had acted as team leader/senior to all the child care officers, and Mrs Chappel had been responsible for resources and registering playgroups and nurseries. There was an acknowledgement that members of the team might get closer supervision under the present system and also have greater access to the senior, but the seniors said that from their own personal point of view they felt that their individual skills were best used under the former arrangement.

9.3 The child care assistant dealing with school attendance is in a unique position. She is not part of either team but works direct to the Children's Officer. She is even divorced physically from her colleagues in that she sits with the clerical staff and not with the professional staff. She relates to all schools on the Island, and although she has ready access to the child care teams her isolation must be of concern.

9.4 The Children's Officer and the two seniors (one of whom acts as Deputy in the Children's Officer's absence) form the Section's management team. There appear to be no formal arrangements for meetings, but the team is said to meet when the need arises. This is usually once every two or three weeks. At the time of the inspection the development of the professional fostering scheme was a main issue on the agenda, and frequent meetings were being held to discuss progress.

9.5 There is a meeting of all the child care staff with the Children's Officer every Monday morning. As far as we could gather this is an informal information sharing session focusing largely on cases which may be causing concern.

9.6 The informality of the organisation of both these meetings is illustrative of much of the work of the Section. Because it is small, and individuals have easy access to each other, much work is accomplished by informal communication. It is worth considering whether greater structure should be built into both types of meetings.

10. Levels of work

10.1 The current population of the Isle of Jersey is approximately 75,000 people. Recent estimated figures (1978) give the mid-year resident population as 74,500. As with many other holiday islands these population figures are swollen during the season, with some possible consequences for the work of the Children's Section on a short term basis. There are 18,641 children under the age of 20 years in the population:

age in years	
0-4	4,062
5-9	4,255
10-14	5,256
15-19	5,068

10.2 At the time of the inspection there were 214 children who were in the care of the Education Committee. How these children were being cared for and an indication of their legal status is given at Appendix 1. This means that there are 11.5 children in care per thousand of the population under age twenty. This is a high level when compared to the mainland levels. Recent statistics of Children in Care, March 1978 show that the equivalent overall England figure is 7.7. The equivalent figure for authorities in the Wessex Region and SW England Region is 6.1. It is therefore important to investigate why Jersey should have a level more usually associated with industrialised, multi-racial outer London Boroughs, such as Brent, Haringey and Newham, and similar areas in the North of England such as Rochdale and Salford. In our view the following factors may all contribute to such a state of affairs. It is not possible to say which factor is more influential, or indeed whether any identified factor is making a current impact. This would require more detailed study and research. However it is likely that a mixture of the factors identified is responsible for the number of children in care.

10.3 The lack of any statutory duty for carrying out preventive child care may create a situation where child care officers receive children into care albeit, in many cases, for short periods. If preventive services were promoted, some children, especially the under-seven year olds, might not need to be received into care. They could more appropriately remain in their own homes with the support of a range of domiciliary services and day care.

10.4 It is probable that the presence and ready availability of residential child care resources on the Island has a very strong influence on casework policy. There are generally accepted indications from other authorities that where residential accommodation is available the tendency is to use it rather than seek other resources. Currently Jersey has 119 residential places available within its boundaries. This is a high level of provision as it means that over 50% of children in care could be accommodated in residential establishments. This level of provision may reduce pressure to seek alternative methods of caring.

10.5 The length of time that children remain in the full time care of the authority also has an effect on the statutory caseload. When Child Care officers were asked to provide details of their statutory caseload, they were asked to indicate the date of reception into care of the child. From this data on 214 children, the following Table 1 can be constructed showing the length of time spent in care. These Jersey figures can then be compared with current UK statistics, Table 2.

Table 1

Length of time in care	Boys	Girls	All Children
	%	%	%
up to 3 years	18	15	33
3-5 years	9	13	22
5-10 years	9	8	17
10-15 years	9	8	17
15-20 years	4	4	8

Table 2

Length of care episode	Jersey	United Kingdom*
	%	%
under 3 years	33	33.6
3 years but under 5 years	22	18.9
5 years and over	42	27.5

*Children in Care in England and Wales March 1979

10.6 Close examination shows that the current caseload of children in care excludes a sizeable number of very short term admissions and so the percentage of children overall remaining for long periods is marginally reduced. However the inspection of case records tended to support the supposition that a care episode in Jersey was likely to be longer than on the mainland. A tradition of assuming close quasi-parental responsibility for the children in the care of the Committee, and the availability of predominantly long term residential accommodation, both support this and may militate against current professional policy which seeks to shorten to the briefest reasonable length the time a child is in care.

10.7 Whilst Jersey is clearly not an industrialised area such as Newham or Salford, there may be factors in the social structure which amalgamate to produce families and children which attract social work intervention. There are indications that the Island has a high incidence of marital breakdown, alcoholism and heavy drinking, and psychiatric illness. Social workers also indicated that the housing and accommodation problems also contribute to family stress and difficulty. The breakdown or absence of extended family networks also leads to isolation and insecurity. The Island also has experience of managing migrant work forces for both the farming and hotel industries. Many of these migrant workers seek a more permanent residence on the Island. Currently 12% of the population are Portugese migrant workers and their families. This group are reported as a hard working and relatively stable force. Another contributing factor to the workload of the Section concerns the incidence of illegitimate births. Apparently the number of girls coming to the Island on a temporary basis and becoming pregnant has lessened of late, but it still remains a consideration. Equally worrying, is the growth of heavy drinking by juveniles and young people. The case files studies during the course of the inspection showed many of these factors at work in individual families.

10.8 The size of the statutory load can also be influenced by the age profile of the children being cared for. The following Table 3 shows this analysis. (Again, the fact that a sizeable number of short term admissions, mainly babies and toddlers, seems to be excluded should be borne in mind.)

Table 3

Age of child	Boys	Girls	Totals	%
under 5 years	12	23	35	16
between 5 and 10 years	9	22	31	14
between 10 and 15 years	52	28	82	38
16 years and over	34	31	65	31

The Social Work Service Officers were struck by the high proportion (31%) of children in care who were over school leaving age. Whilst it is likely that this group do not make substantial day by day demands on the child care officers, it could be questioned whether or not some of these children should remain in care. Looking at the length of time some of these young people had been in care it was clear that a good proportion (20 of the 65) had been in care for 16 years or more. A further 11 young people had been in care for 10 years or more. One might hope that in future there would not be such a large group experiencing a full childhood in care.

11. Current Workload

11.1 The total workload of the department is comprised of the following components a. the statutory caseload b. the non-statutory caseload

c. registration obligations d. referral management e. social work for the judicial system in care proceedings, matrimonial proceedings, adoption and juvenile delinquency f. school attendance g. other promotional and development activities. The following gives some idea of the workload of the Children's Section at the end of January 1981.

11.2 The Statutory Caseload

This is categorised in two ways. Firstly, that work deriving from the obligations to children in the care of the Committee. Secondly, those tasks which have legislative underpinning. This includes both registration obligations and social work for the judicial system. Taking the first of these categories, 214 children were in the care of the committee on 31.1.81. Over the last two years this number has declined by about 12%. In November 1978 there were 246 children in care. This had dropped to 230 by September 1980, falling to its current level over the next few months. Whilst the number of children boarded out has remained remarkably constant throughout the past 10 years (1.3.70 - 72 children: 31.1.81 - 73 children), the number in residential care, particularly of late at Haut de la Garenne has dropped. Thirty one children (14%) are supervised in their own homes and normally about 30 children are accommodated in Voluntary Children's Homes on the Island. Twelve children are accommodated at Les Chenes. (Exact figures are given at Appendix 1.)

11.3 The Non-Statutory Caseload

This component of the workload is characterised by the fact that casework is not necessarily underpinned by legislation, but it should not be overlooked that social work with these families and children may subsequently require statutory intervention, or reception into care for shorter or longer periods. Social work with families is investigative, preventive, supportive, advisory, monitorial. The Children's Officer has further categorised the non-statutory caseload in terms of 'at risk' priorities. Currently, figures are as follows:-

i. Casework with families considered at risk of NAI or reception into Care

28 families.

ii. Casework with families, including single parents, presenting social problems

45 families.

11.4 Registration Duties

i. The two Senior Child Care Officers have responsibility for the initial and subsequent annual registration of 34 Day Nurseries

ii. The two Child Care Assistants have the responsibility for the initial and subsequent re-registration and oversight of 85 Child Minders.

11.5 Referrals

New referrals or requests for help for information of whatever kind are recorded in a Referral Book. Attempts are made to distinguish between a social work referral which is likely to require the resources of the Section and a more general enquiry. This is obviously not an easy matter to decide in some instances and definition may depend on the particular officer receiving the telephone call or correspondence. However, the fact that only one of the senior child care officers maintains the Referral Book, should make for some consistency. Referral rates for the last three years are as follows:-

1978	364	
1979	434	average 364
1980	295	

11.6 No clear explanation is forthcoming about the noticeable drop in referrals in 1980 compared with the previous year, which was itself much higher than 1978. However, this kind of fluctuation is not unusual, and is often related to staffing levels and other internal factors, rather than to radical changes in public use of the service; (eg in 1965 to 1969 the average new referral rate was 373 with similar fluctuations). It is also often a reflection of subtle changes in departmental policy or variations in the number of access points into the department. For instance, in the past a schools liaison scheme was operative which may have stimulated referrals from teacher or parents. The Referral Book illustrates clearly the perception of the service from the public's point of view. (A breakdown of referrals by type of enquiry is given at Appendix 2).

11.7 Work for the Courts

It is difficult to quantify this work, although some indicators from the individuals officers' workloads are helpful. If the supervision of adopted children is taken into account, the Section was involved with 28 cases related to supervision, matrimonial proceedings, including custody, and guardian at litem duties at the time of the inspection. The Section also received 25 requests to attend Parish Hall enquiries during 1980. These preliminary hearings before the honorary Police may be followed by proceedings in the Juvenile or Royal Courts. The child care officers are involved in care proceedings and the Children's Officer also acts in a consultative capacity on Child Care Law.

11.8 Privately placed foster children

At the time of the inspection the Section was supervising 5 children privately placed with foster parents, but this number is said to increase during the summer months.

11.9 School Attendance

The Child Care Assistant (School Attendance) visits 44 States and private schools on the island and the Secondary Tutorial unit at Highlands. There were 245 unwarranted absences from schools in 1979/80. During the Autumn Term 1980, 16 children were considered to be truants, only two having lost more than 10 ($\frac{1}{2}$ day) sessions.

11.10 Distribution of work

At the time of the inspection the Children's Section was dealing with 390 cases, plus a continuous stream of demand from new referrals. As noted previously there were 247 statutory cases and 143 non-statutory. The following Table 4 analyses the caseload of children and families by officer and by category. Such a table does not present any idea of the complexity of the cases or the demands on officers' time or expertise.

Table 4

	Statutory Work		Non-Statutory Work		
	Children in Care	Adoption Matrimonial Work Private Fostering	'At risk' of NAI/RIC	Other non-statutory	Total Case Load
Children's Officer	6			1	7
Sen CCO 1	5			2	7
Sen CCO 2	1	3	1	4	9
CCO 1	30	2	2	12	46
CCO 2	34	5	4	14	57
CCO 3	18	5	2	16	41
CCO 4	25	2	4	7	39
CCO 5	26	4	4	18	52
CCO 6	25	4	6	13	48
CCO 7	25	6	4	8	43
CCA 1	9	2	1	11	23
CCA 2	10			9	19
Totals	214	33	28	115	390

NB i. CCO 4 resigned January 1981

ii. CCO 1 on sick leave since November

11.11 The inspection attempted to 'get behind' these caseload levels by interviewing the child care officers and reading a sample of records from the different categories. Over the last year the senior child care officers have attempted, with the child care officers in their teams, to prune the number of 'live' cases. This has worked in some degree, but changes in staffing levels may have inhibited this policy from achieving its full effect due to the need to reallocate work temporarily. As noted earlier there has been a drop in the statutory caseload of children in care. This has made a marginal difference on each officer's live load of one or two cases. There

has been no significant change on the small caseloads of the Children's Officer and 2 Senior CCOs. For interest, caseloads at 11.11.80 might be compared with those at 31.1.81:-

Table 5

	11.11.80	31.1.81	
CCO 1	54	46	-8
CCO 2	51	57	+6
CCO 3	56	41	-15
*CCO 4	51	39	-12
CCO 5	50	52	+2
CCO 6	51	48	-3
CCO 7	50	43	-7
CCO			

*Cases closed due to impending resignation of CCO.

We consider that this "pruning" exercise by the Senior CCOs has probably had the effect of reducing the "live" caseload to a level where cases are receiving a very high proportion of active attention and professional involvement. Our "sampling" work would certainly support such a conclusion.

11.12 In considering the live caseload we have examined the work against the criteria of whether or not the involvement of a professionally trained and experienced social worker was required. Using this test we have gone on to differentiate the workload in terms of the knowledge and expertise required against the context of any statutory obligation. We therefore have considered that the following types of work demand such attention:-

i. Case Assessment

All assessment of personal need in children and families, and considerations about access to the Section's resources.

ii. Children in Care

All cases where a child experiences substitute care. Whilst much of the work with some of the children in long term care may appear to be of a relatively routine nature, it is our view that it should always be undertaken by a qualified member of staff. All matters pertaining to Care Proceedings should also be undertaken by qualified staff. Such staff should always be involved where a child is likely to experience an important move in his life, especially at reception into care.

iii. Work in relation to judicial and matrimonial proceedings.

This work is normally of a complex nature, requiring a high level of knowledge and expertise.

vi. Investigation of Child Abuse or Neglect.

Work with abusing and neglectful families is complex and often involves a high level of vulnerability for all concerned.

11.13 Given the current caseload this would mean that 275 cases would form the core of the "professional" workload which would be handled by the Child Care Officers, with perhaps the small number of more complex cases being passed to the Senior Child Care Officers. Apart from the seriously "at risk" cases, the non-statutory caseload requires further examination. A perusal of the case records indicates that each family or single parent at one time or another makes high, sometimes complex, demands on social work time and expertise. However, in some cases surveillance has become routine or reactive and this work could be carried successfully by unqualified officers with appropriate supervision. It is difficult to put a figure on this without making a judgement on each of the individual cases, but we consider that it would be sensible to reckon that half this group of cases, say (55), would continue to require the direct attention and involvement of a Child Care Officer. This computation gives the "professional" workload as 330 cases.

11.14 Further consideration as to how this work should be distributed has an influence on the level of staff. Following the above criteria, the two child care assistants should not carry any statutory or "at risk" work. We also consider that the management team of the Section should not carry an individual caseload except, as indicated above, a very small one of complex cases which one might expect to be of limited duration. The current establishment is for 7 child care officers and an equal distribution of this work between them would give caseloads of 47. We recommend that caseloads nearer 40 should be policy for the Section and this would indicate the need for a further child care officer. Some more of the less complex non-statutory work might be redistributed to the child care assistants who might then work more clearly in a complementary fashion to the child care officers. In the present situation there is a danger that child care assistants are given work at an inappropriate level and whilst the current post holders may have the experience and personal attributes, this is not a satisfactory basis for manpower planning nor a rightful use of a child care assistant.

CASELOAD MANAGEMENT

12. Intake and Duty

12.1 During office hours provision is made for one child care officer to be on duty to receive callers or deal with emergencies. The basic system is that each team takes a week at a time and is responsible for arranging cover from among the members. Because of the difference in size of the two teams the larger works for three weeks to the other's two. At the time of the inspection, however, this system was in abeyance because both teams were a post short (one due to sick leave and one to a vacancy). For this reason a system based on using the five qualified social workers was operating. It was assumed by the staff that the basic system would be reintroduced when staffing levels were eventually restored.

12.2 There is no out of office hours cover during weekday nights, but cover is provided by one person at weekends. A duty rota is worked out and sent to all other agencies. A list of staff is also enclosed in case the duty worker is out on call, and to ensure that the same name does not always appear at the top of the list (the most likely name to be contacted as a second line of defence) this is typed in a different alphabetical order each time. It is, however, a fact that with an established staff such as this, many of whom have been in post for some years, names get known by other agencies and contact is made almost on a personal basis. There were, for example, a number of references to the children's officer being contacted out of hours.

12.3 Staff appeared to work to this system quite happily and to recognise that out of hours work is a necessity in a child care agency. The arrangements therefore both by day and outside office hours for emergency cover are satisfactory. Staff were much less happy at new arrangements which have been made for the reimbursement of normal work which has, by the nature of the job, to be outside a normal working day. They felt that the attempt to limit the amount of such work and encourage a greater use of taking time off in lieu, was rigid and unnecessarily restrictive.

12.4 The level of the rate of referrals has been discussed. The way in which the referral is dealt with is determined by the person with whom contact is first made whether by day or out of hours. In practice the team to whom the person belongs will take it on, unless there are very strong indications to the contrary. Within the team the case is allocated by mutual discussion to whoever seems most appropriate, but often this will be the person who initially dealt with the matter. The seniors are well placed to ensure that there is an equitable distribution both amongst their own team members and between the two teams.

13. Monitoring

13.1 We refer elsewhere to the lack of an adequate review procedure for all cases. A good review of a case also provides an opportunity for an appraisal of an individual child care officer's level of performance. The green review forms which are completed offer little more than a paper exercise and provide no framework for appraisal. The seniors arrange for a twice yearly look at each caseload and see this as an opportunity to monitor what each worker is doing. The particular focus is largely to decide which cases can be closed. The files are not routinely read before the exercise is undertaken in order that developments and progress

might be re-assessed and judgements made in the light of written evidence and further case discussion. It is argued that this is not necessary as the cases are so well known due to the amount of informal exchange of information that goes on. There is no established practice of the senior making written comments after the discussion. We do not feel that this is an effective way of monitoring the work load or an individual social worker's performance. Both these aspects could however easily be linked into systematic case review process and thought should be given to this.

14. Supervision

14.1 All case supervision is carried out by informal methods. The seniors make themselves readily available to their teams and both operate "an open door" policy. They are therefore very well aware of what is going on and are knowledgeable about developments on individual cases. This method does however leave the responsibility with the child care officer who makes the decision as to what he shall refer to the senior. One experienced child care officer referred to her practice of ensuring that "her" files are sent to the senior and the fact that the latter had initialled them proved this but the initiative appeared to lie very much with her.

14.2 One or two child care officers said that they would welcome a fixed supervision time at stated intervals - they felt that this would bring structure to their own work and ensure that relevant matters were discussed. Others however expressed satisfaction with the existing system and would feel hampered by such "time tabling". A fixed supervision time should however be a period in which both worker and supervisor can explore other matters such as personal professional development, training needs, and strengths and weaknesses, as well as the needs of the case. An informal system more often than not concentrates on the latter and the needs of the worker tend to be ignored.

14.3 We were also concerned that because of the informal nature of supervision there was little if any account that anyone other than the child care officer had seen the case file. Apart from the example already quoted there were few occasions when a Senior's initials were seen on the files thereby providing an indication that information was known to more than one person.

14.4 We also noted that none of the child care officers kept a personal register showing their total work load and when visits had been paid. This could be used as an additional check by the Seniors on work that has been accomplished.

14.5 We were satisfied that within its limits the informal network of communication works reasonably well but it is a method that leaves too much to chance and to human error. We feel that the seniors should be taking a more positive part in case management as the present system leaves too much responsibility with the child care officer. It would for example be theoretically possible for a case to be completely forgotten and as there is no reminder system no one would pick this up. Whilst the present system may be reasonable for every experienced workers we feel that as a practice it should not continue and that regular supervision sessions should be held with each worker and a brief account entered on the case records of any discussions.

15. Case Acceptance and Closure

15.1 The seniors accept responsibility for deciding when cases shall be closed. The recent exercise of pruning all caseloads means that all staff are very alert to the necessity of making this a continuing process. There is however some concern that in the present climate cases might be closed prematurely. The priority list of cases determines what work can be accepted but also has implications for what should be closed. On the whole the staff find it difficult to follow it too rigidly and were somewhat uneasy about it. The nature of social work is such that it is often impossible to work within limiting definitions and however hard or conscientiously workers try to apply the principles they feel that they often have to compromise. The case discussions which we had with staff together with the examination of the records indicated that all the work which was being undertaken was quite appropriate.

16. Records

16.1 A sample of case records were looked at in the course of the inspection. Child care officers were asked to bring one or two records with them to the individual interviews which were held and these were referred to in the context of case discussion. In addition some ten files of children who are placed in foster homes were examined, to assess the standard of work which is operating and to check compliance with the Boarding Out (Children) Order 1970.

16.2 The established practice in the Section is for a separate file to be opened for every child who is in care, for every ongoing piece of work with a family and for every foster parent. Those that are current and appear on a child care officer's case load are lodged in filing cabinets in the team room, so that in effect each child care officer keeps his or her own records. Foster parent files are kept in the clerks' room.

16.3 Each new record should commence with a simple pink referral sheet. The recording of each contact or activity connected with the case is typed on separate sheets and these are filed in chronological order along with correspondence and forms on the right hand side of the file. For children in care a front sheet giving salient facts - name, date of birth, name and address of parents, and siblings, school attended or employment, date of admission to care and the legal statute governing this, together with dates and details of placements and subsequent movements - is pinned to the left hand front cover. Legal documents such as a copy of the Fit Person Order are also filed on the left hand side.

16.4 All the records which were seen were easy to read and the history of the case could readily be absorbed. They were tidily kept and well typed. One or two omissions were found on the front case sheet of children in care, but these were rare, and generally standards were high..

16.5 One or two child care officers have adopted the habit of summarising their work at given intervals, and in the absence of a comprehensive review form, this is an extremely valuable technique. Only rarely did we find the initials of a senior officer on the file and where this was found it was likely to be because the child care officer had taken the initiative in sending the file to the senior. Similarly the initiative in recording any case discussion with the senior seemed to lie with the child care officer. One criticism of recording that is mentioned elsewhere in this

report is that it was not always clear from the entry the nature of the contact, and one starting with "Spoke to Mrs X ....." does not reveal easily whether this was in the course of a visit, a telephone call, or indeed an office visit.

16.6 The records of all closed cases are kept in locked cabinets in the main corridor. This poses a problem of security but the administrative staff are very alert to this.

17. Reviews

17.1 There is no statute in Jersey child care law which prescribes that the progress of all children in care shall be reviewed at stated intervals. Regulation 10 of the Children (Boarding Out) (Jersey) Order 1970 does however provide that "a review of the welfare, health, conduct and progress of every child who is boarded out ....." is made and that it ....." shall be made as far as is practicable by persons who do not usually act as visitors and particulars of any action recommended shall be forwarded to the Committee".

17.2 It has, however, long been recognised that the regular review of the progress and circumstances of every child in care is good child care practice and in England and Wales this was regulated by statute in the Children and Young persons Act 1969. In Jersey a brief form has been designed for review purposes which is used for all children in care, and a copy presented to the Children's Sub-Committee. It does not comply with the Boarding Out Order as there is no mention of health.

17.3 The information is contained on one side of an A4 size sheet of paper. Besides factual information of the child's name, date of birth, and religion and the parents' and siblings' names it provides details of the date and reason for reception to care, details of the current placement and the dates of visits by the child care officer. For both foster home and residential placements there is a very small space for comment and, for children in residential care, the date of the last case conference "if applicable". There is also a very small space for entering details of future plans. At the bottom of the form is a larger space for the Children's Officer and Child Care Officer's signatures plus spaces to indicate that documents have been checked for accuracy and the date when the next review is due. As a means of reviewing a child's progress we found the completion of this form no more than a paper exercise.

17.4 The purpose of a review for a child in care is to provide an opportunity for all those having care of the child to take stock of what is happening by looking at events of the past, considering the present and form plans for the future. This means considering all aspects of the child's life, and therefore will involve those caring for him be they residential workers or foster parents, other professional staff responsible for him such as his child care officer, teachers and the educational psychologist or psychiatrist if they have a contribution to make. In addition it may well mean that the parents and the child himself need to be involved. A review therefore necessitates that some or all of these personnel should sit down together, discuss the relevant aspects and make decisions on the next steps to be undertaken or the goals which need to be set.

17.5 Basic information should be set out on a well designed form which is completed before the meeting and includes details of the decisions made at the last review and the way in which these have been acted upon. At the end of the discussion decisions should be recorded. It should then be the task of a senior member of staff to see that these are carried out. Well conducted reviews can be time consuming, though this can be minimised by careful preparation, and much depends on a skilful chairman.

17.6 The review process thus described, and which is now recognised as an established element of professional practice, does not appear at all in the present work of the children's section. As far as we could ascertain case conferences are held on children in care when the need arises and the notes of some showed that staff had all made a contribution often in writing and that decisions were made. There was little indication that anyone had monitored that the decisions were carried out, or that effort was spent in putting them into effect speedily.

17.7 From the sample review sheets which were read some inaccuracies were found and in one case this was repeated on subsequent forms. Examples were also found where the first review form appeared on the case record years after the child was admitted to care. In addition the staff in the family group homes stated that they did not contribute to the completion of the form neither did they receive a copy for their own records. Neither was there mention of foster parents contributing to the forms for children in their care.

17.8 The lack of a satisfactory review process conducted in a professional manner may well be a contributory reason for so many children remaining in care for so long, often for very many years. The whole system therefore needs urgent appraisal. Consideration should be given to the format and content of the process, the personnel involved, the way in which decisions are put into effect, the monitoring of these and administratively the provision of an adequate reminder system.

SPECIFIC SERVICES

18. Fostering Programme

18.1 Levels of Service

The statistics show that on 31 January 1981 73 children were placed in foster homes or lodgings - that is 34.1% of children in care. Of these 15 were placed with relatives. From the sample of records which were read it was evident that some if not all of these were de facto placings, and the children received into care in order to provide the relatives (often grandparents) with financial assistance.

18.2 The dividing line between what can be termed lodgings and what are foster homes is often rather blurred, but some of the placements of older children appear to occur after many years in residential care, with the aim of encouraging a more independent way of life and so would seem to fall into the lodgings rather than foster home category.

18.3 Bearing in mind these two factors the figures that are given would indicate a low level of service. It is difficult to make comparisons with (apparently) similar places because of the many unique features of the Island but the figures give no cause for complacency; if fostering is seen as a primary method of substitute care for children, greater efforts need to be made to ensure that the policy is put into effect. We appreciate that statistics can be misleading and that consideration must be given to quality rather than quantity when looking at levels of service.

18.4 Recruitment and Assessment of Foster Parents

Discussions with staff on the problems of recruiting foster parents highlighted two main difficulties. Firstly, the unique housing problems of the Island mean that potential foster parents often do not have a spare bed, let alone a spare room for a foster child. The problems of placing a family of more than one child are consequently all the greater. Secondly, we were repeatedly told that natural parents request that their children be placed in residential care rather than foster homes when an admission is being considered, especially for short term care. This sort of request is not unknown elsewhere - parents may know something of the residential facilities which are available, whereas they may know nothing about foster parents, but more likely they feel less threatened by their child living in a children's home than by the close ties which may be formed with another family. This matter is one however which child care officers should be dealing with when discussing an admission. They should be helping parents to understand that in most cases a stay with foster parents is much less damaging to a child, than the experience of residential care.

18.5 These arguments are particularly valid for short stay care of younger children, especially those under 7 years of age. Reception into care due for example to the mother's confinement still appears to be arranged in the States, and it was disturbing to find that such children are placed in residential care.

18.6 Recruitment of foster homes needs commitment, effort and time on the part of both the department and the child care officers. Discussion with staff indicated that they are aware of the need to do more but are daunted by the pressure of other work and the time that they know a concerted effort

would take. There was however little evidence that any great thought had been given to ways in which more foster parents might be recruited, or that effort had been made to sound out a potential market. Indeed the initial response to advertising the 'Professional Fostering Scheme' would indicate that there might be untapped resources, if a different strategy could be developed. The main strategy used at present is that of arranging for feature articles to appear in the press.

18.7 Workers elsewhere differ in their approach to advertising for foster parents for medium to long stay care, but the majority now seem to feel that the specific approach geared to an individual child's needs is more successful than a general campaign. This normally has very poor results. We appreciate the difficulties of advertising particular children's needs in an island community where the preservation of confidentiality is more complicated, but nonetheless we feel that more thought should be given to this.

18.8 Recruitment of foster parents for short stay care may need a more general approach, and again experience elsewhere would seem to indicate that such foster parents are often recruited through general publicity by talking direct to local groups. It is a pity therefore that the giving of talks can no longer be given priority in the department's work.

18.9 The process of assessment of foster parents is left to individual child care officers under the guidance of their seniors. In some cases the senior child care officer also visits the home during the assessment process. The ultimate decision on acceptance lies with the Children's Officer. As little recruitment is carried out it is difficult to make comment on the assessment process. One record which was seen showed evidence of detailed and painstaking work with the checks prescribed in the Children (Boarding-out) (Jersey) Order 1970 adhered to. Another record relating to the acceptance of a grandmother as a foster parent had little information on it and no separate file had been set up for the foster parent (this may be explained because the child care officer was on sick leave). Procedures provide for a separate file to be opened for foster parents. This contains the application form, assessment papers and a front sheet showing the children who have been placed. A sample of files was looked at. Those that related to foster parents of very long standing (of which there appear to be a number) did not have adequate assessment papers, but more recently approved ones were complete and provide good information on the foster homes and the way in which they have been used.

18.10 No attention has been given to the training needs of foster parents during or immediately after the assessment process.

18.11 Regulations

Article 8 of the Children (Boarding-out) (Jersey) Order provides that the committee shall satisfy itself of the well being of any child boarded out and shall ".... secure that, so far as it appears to the committee to be appropriate the child is visited from time to time and that such advice is given as to the care and maintenance of the child as appears necessary". A sample (approximately 10) records were examined from which it appeared that the regulation is complied with. The department's guidelines indicate a pattern of bi-monthly visiting for long standing cases and this appears to be followed in most instances. Longer gaps were found especially for older children, and often this appeared to be appropriate, but occasionally instances were found where the length of time between visits seemed somewhat protracted.

18.12 Article 9 spells out the details that shall be covered in the written report that is made after each visit. These reports often do not make it clear if a visit has been made - many start with a bald statement "Spoke with Mrs X ..." and it is not clear whether this was by telephone or in person during a visit. We feel each entry should start with a statement of fact of the visit paid and who was seen ie the date followed by a statement commencing "Visited and saw X, Y and Z". Similarly in accordance with the order written comment on the child's welfare, health, conduct and progress together with details of any complaint should be made. Often this information is implied rather than actually written. Details of the state of the foster home and the sleeping accommodation of the child were omitted in some records.

18.13 The sample of records examined revealed little written evidence of attention being paid to Article 6 which states that the committee shall ensure that a child should where possible be boarded out with someone of the same religious persuasion or give an undertaking that he will be brought up in that religion. This appears to be largely ignored, or at least no written record made.

18.14 Article 7 spells out the undertaking (agreement form) that foster parents must sign when a child is placed with them. Here again a sample of records did not show a signed form on every child's file.

18.15 Whilst a child is boarded out, medical and dental attention should be provided "as required" (Article 4). In addition a medical examination should be carried out by a medical practitioner and a written report made within one month of boarding out if no examination has been made three months beforehand. These medical reports were not found on the files held in the Children's Section, nor on the records held in the Children's home for children placed from residential care. Although we were assured that all children have a medical examination before discharge from the home, this was not necessarily recorded. We were concerned that information on the medical arrangements for children boarded out rests very much with the child care officers and there is no system whereby this is recorded or the child care officer reminded of the need to check on what is happening. If the foster parents do not tell them and they forget to check at each visit, no record may be available on the child's file. We feel this is an omission that should be rectified.

18.16 Boarding Out Reviews

Elsewhere in the report we have indicated our concern at the system of case reviews and this applies equally to boarded out children. Article 10 states that a review should be made of the welfare, health, conduct and progress of each child within three months of boarding out and then ..... "not less often than once every six months". Bearing in mind the comments we have made about the compliance, or the failure to comply with the Boarding-out Order, the system of review assumes a greater importance. We have indicated that we feel that the green form at present in use is not an adequate tool for reviewing a child's progress. For boarded out children a well designed form should highlight the matters covered by the Boarding-out Order including a statement on the adequacy of visiting, arrangements for the child's religious upbringing, details of any medical or dental conditions, together with the treatment prescribed, as well as such things as his general behaviour and school progress.

18.17 The present system allows that the form is seen by senior staff and is then presented to the committee. We are satisfied that the information given to the committee complies with the relevant Section of the Order and in this sense is meetings its purpose. For professional use and for planning purposes more detail is essential. This is something which should receive urgent attention.

18.18 Support to foster parents

Information on this was mainly derived from discussion with child care officers and from reading the sample records. It would seem that once a child is placed in a foster home adequate and reasonable support is provided and foster parents helped in their task. We were told that the incidence of foster home breakdowns is low (no statistics available) but this could be attributed to the low level of boarding out as much as to the support which is provided.

18.19 Little work is done in holding foster parents meetings. These can be educative, supportive or just social in content and if well planned can be of great help to foster parents. They can provide a setting in which the foster parents share their problems and recognise that they are not alone in their worries. An annual foster parent meeting is held but this is largely social in focus and is a means of saying "thank you" by the States to a band of dedicated people. Whilst there is room for this sort of occasion it can not replace the semi-professional meetings which do much to strengthen the work of fostering.

18.20 Short Stay Fostering

Reference has also been made to the number of children who are received into care for short stay care and who are accommodated in residential care. As a practice we feel that this is wrong and bearing in mind that many of these children will be in the younger age group (under 7 years of age) we feel that greater effort should be made to place them in foster homes. This implies a change of policy and that greater efforts should be made to recruit a pool of suitable foster parents.

18.21 Boarding Out Allowances

We were assured by the children's officer that the committee is reasonably generous about allowances and requests for additional finance are received sympathetically. The scale of allowances seems adequate and in line with national recommendations. We are mindful of the need to take into account the different levels of the cost of living on the Island. We have noted that advertising for the professional fostering scheme produced an immediate response of seven applicants. We feel that there may be food for thought in this and that higher rates of allowances might well increase the pool of foster parents.

18.22 Professional Fostering Scheme

The Children's Officer first placed a paper before the Children sub-Committee on the subject in October 1977 and in the following January, he together with the Chairman and a member were able to visit two authorities who run schemes in England and to attend a seminar on the subject organised by the National Children's Bureau. Thought had therefore been given to such a scheme although no direct action had been taken. During last year however, publicity - which may have been premature - was given to the idea of such

schemes when the needs of a very disturbed child were considered by the Committee. Sufficient to say that seven couples came forward following advertisement (although each apparently denies seeing this) to make enquiries. They have been invited to group meetings which are run by the Children's Officer and the two senior child care officers. At the time of our inspection these were currently being held and it was thought that already one of the couples might have withdrawn. The process of selection for such a scheme is inevitably protracted as very careful preparation of the foster parents is needed followed by a careful introduction of the children considered suitable for the scheme. The Section reckoned that it had identified about 7 children who could benefit by such a placement.

18.23 From the information which we have been given we must be concerned at the course of events on a number of accounts. Firstly, we feel that the basis of the scheme should have been worked out before any publicity was given. This should include such things as the criteria of the type of children for whom the scheme will cater, the type and length of placement envisaged and the type of foster parents whom it should attract. Secondly, experience elsewhere indicates that the launching of a scheme and the problems of recruitment and selection of children are best left in the hands of one or two people who are able to devote their whole time to the task - in other words that someone is appointed to the staff for this particular job. Discussion with staff indicated that none of these factors had been taken into account and therefore we are fearful that the scheme will flounder before it is off the ground through lack of basic groundwork and adequate staff. This is not to say that we do not approve of the principle that is being developed - indeed we do but we feel that it needs much careful thought and preparation and should be serviced by a child care officer skilled in this specialised work.

18.24 Private Foster Children

Articles 55 to 67 of the Children (Jersey) Law 1969 cover the protection of children placed with foster parents by the parents as a private arrangement. These statutes are currently under consideration by the Education Committee, with the aim of tightening up the process and closing loop holes. For example foster parents will be required to make application to foster a particular child, rather than just notify the Education Department and an onus is to be placed on the parentsto give notice of the arrangements in addition to the foster parents application.

18.25 The chief difficulty which all authorities face with privately placed foster children is that of identifying them. It is a part of legislation that is not always widely known by the public and statutory authorities have to rely on the information they receive either direct from the public, or from other agencies such as the Health Department. Their chief method of publicising the legislation can only be through advertisement in the local press and media, or by public notice. All authorities are mindful that the number of children known to them and the number actually placed may be very different. Jersey is no exception to this belief.

18.26 It is suspected that a number of immigrants particularly Portugese parents place their children in private foster care, possibly on a 5 day a week basis without the department being notified. Figures presented to the January and March meetings of the children sub-committee show that 5 were being supervised. It is known that the number goes up during the summer months with the onset of the tourist trade. For example, in June last year 13 were known.

18.27 The department adopts a policy of supervising these children according to the needs of the case. This is in effect to accord with the visiting arrangements prescribed by the Boarding Out Order for children in care. Child Care Officers are however aware that the level of work which should be undertaken with the natural family is not always easy due to factors such as different cultural backgrounds and a certain legal limitation of their powers. A sample record which was read indicated however that good standards had been applied in helping parents resolve their difficulties and that the case had been accorded the degree of attention that was necessary.

19. Adoption Service

19.1 The Children's Section is involved in the three aspects of adoption:-

i. Acting as a placement agency with all the implications this has for work with the natural mother and the assessment of prospective adopters.

ii. Supervision of children placed for adoption who are "protected".

iii. Acting as Guardian ad Litem when appointed by the Courts.

19.2 Statistics show that adoption is a small but vital part of the Section's responsibilities. During 1980 it acted as Guardian ad Litem for 10 applications involving mother's or father's own child. It was also involved in 10 other adoptions as follows:-

1 Jersey child in care placed in the UK through a voluntary agency
2 Children born in Jersey and placed in Jersey
4 Children born in Jersey and placed in Guernsey
1 Child born in Guernsey and placed in Jersey
1 Child placed in Jersey by UK agency
1 Child placed in Jersey by a third party

All the child care officers are involved in adoption work and efforts are made to see that they each get some experience although this must necessarily be limited.

19.3 Agency Work

The Children's Section acts as an adoption placing agency. In effect, however, all children who are so placed are now received into care, as increasingly it is found that the mothers of new born babies cannot meet the payment of fostering fees to cover the cost of their care between the time they surrender the child and the time of placement with the prospective adopters. Although the majority of natural parents referred to the Section are unmarried mothers, there are increasing numbers of married couples who feel they cannot undertake the care of the expected child, and couples who are divorced or separated yet pregnant. Child care officers rightly see their primary task as that of counselling the natural parents to enable them to make a wise decision. Of 23 referrals in the year 1979/80, 4 babies were finally accepted and placed for adoption.

19.4 The mothers tend to fall into three defined categories which determines where the baby will be placed:-

a. Temporary immigrants who become pregnant whilst in Jersey

b. Visitors who come to the Island in order to have the child

c. Jersey residents.

The babies of a. and b. are placed in Jersey and those from c. in Guernsey. A reciprocal placement arrangement exists with Guernsey. The Children's Section in Jersey is a member of Adoption Resource Exchange whose services have been used for children in exceptional circumstances eg a very handicapped child and a child whose mother divided her time between Jersey and Guernsey and therefore placement was not appropriate in either island.

19.5 Before adoption placement babies are cared for in foster homes (pre-adoptive homes) and there was said to be no difficulty in getting this type of foster home. Although there was reference to the section slowly moving towards placing slightly older children in care for adoption, this is something which has not yet developed to any degree. Schemes developed elsewhere (ie the UK and USA) indicate that though this is a highly skilled task it is possible to place older children for adoption. In view of the large numbers of children in Jersey who have been in care for many years this is obviously an option which should be taken into account when considering future plans for them. Meanwhile the bulk of adoption arrangements still tend to be on the traditional pattern of placements for babies or very young children.

19.6 Where the Children's Section of Guernsey are involved in placing, close working relationships exist but the majority of the work is done by telephone. Prospective adopters are given as much information as possible by the local children's section and then visit the other island to see the child. They are met by that Island's child care officer. After the first meeting they are given time on their own to consider whether to accept the child, and if they wish can then return home with him. It is difficult to see how this arrangement could be altered given the time and distance involved, but in ideal terms adopters should:

a. be given longer time in which to make up their minds; and

b. an opportunity to talk over the situation with the child care officer known to them.

All the Guernsey babies are accommodated in the residential nursery and over the years the Matron has built up a knowledge of adoption which can be helpful to prospective adopters. The obverse side of this situation is that residential care for babies of this age is by no means ideal.

19.7 Adopters are given written information on the child's background and medical history but not the mother's name. This policy has been deliberately employed because of the smallness of the island communities and the ease with which the natural mother can be traced. Jersey does not allow for adopted persons to have access to their birth records as is now permitted in the UK. Medical information for the General Practitioner is given to the adopted to pass on to him but details of the birth are passed to the nursing service after placement. Discussion with the Chief Nursing Officer revealed that she would have welcomed the opportunity to make contact with adopters before placement.

19.8 In keeping with trends elsewhere the number of babies placed for adoption has dropped considerably and therefore the Children's Section closed its list of waiting adopters in 1977. It has recently been opened again with the idea of keeping at least six available homes on the active list at any one time. A list of people who had enquiried about adoption in the meantime had been kept and it is from this that work on assessment will now proceed. The section has no written criteria on those considered suitable as adopters and attempts to be flexible in its approach. It feels that 40 years is the upper age limit for those adopting small babies.

19.9 All child care officers are offered the opportunity to undertake assessment though senior staff were conscious that skills for this task have not been used for sometime. The senior child care officers supervise the work of assessment but final acceptance rests with the children's officer. The child care officer, senior, and Children's Officer together consider the most appropriate placement for each child. There would be much to be said for developing this approach into a panel process with, say, the advice of someone skilled in developmental paediatrics. Any such panel must however be kept small if useful discussion and essential detail is to be condifentially considered.

19.10 Where the Children's Section has arranged the placement the child care officer continues to supervise until the court hearing, but in these cases the Probation Service is appointed as Guardian ad litem. Considerable help is given to adopters in completing their application papers for court.

19.11 Guardian ad litem

Much of the Guardian ad litem work undertaken by the child care officers is with mothers or fathers adopting their own children. In Jersey the laws of inheritance are based on French law and therefore this can be a crucial legal step. It does not however accord with current child care practice on the mainland where increasingly consideration is given to preserving natural relationships whilst, at the same time, safeguarding the child's legal position.

19.12 Records

Some six adoption records were read covering all the aspects of adoption work. Those for the courts seemed well documented and well presented, but it was not possible to read a recent record of an assessment because of the closure of the list. One record showed detailed and close work with a natural mother, but details on the adopters and the subsequent placement were less comprehensively recorded.

19.13 Developments

The re-opening of the waiting list would seem to provide an opportunity for the Section to take a critical look at its adoption agency work and consider whether it should be looking at the needs of older "hard to place" children who could benefit from an adoptive home. Although some work in this field has been undertaken, there is scope for some extension of this practice. The opportunity to look at the assessment process, the way in which decisions on acceptance and placements are made and the methods of recording.

20. Child Abuse

20.1 Jersey is no exception to the problem of child abuse with a growing number of families where this is known or thought to be occurring. The incidence of alcoholism and the housing situation are just two factors known to be indicators of the type of stress which may precipitate abuse, and both are present to a degree on the Island. A number of the files that were read contain a reference to violence by one or other parent, together with mention of a drink problem. There has been one fatality of a privately placed foster child which led in 1979 to an investigation and report on the circumstances.

20.2 Following the publication of DHSS Circular LASSL 74(13) a multi-agency group of officers considered the contents to decide whether the recommendations should apply in Jersey. The circular recommended the setting up of a Review Committee in each area which should have representatives of all agencies likely to be involved in child abuse. The Committee was seen as a body which should be concerned with co-ordinating policy and procedures, the training of workers, and the principles of the management of cases so that lessons might be learnt from experience. It was also seen as a body which could monitor the incidence of child abuse. It was not seen as a body that would discuss individual cases as a regular routine, although it would receive reports where anything had gone wrong.

20.3 The officers in Jersey recommended that such a committee should be set up to deal with policy and the principles of case management, and that in addition there should be a case conference sub-committee to consider individual cases. The membership of the latter was to be from the Children's Section, the Community Nursing Service, the School Medical Service, Hospital Paediatrics and the States Police and with the power to co-opt additional members if necessary.

20.4 When the Education Committee considered these recommendations it decided against a Review Committee believing that the Case Conference Committee could deal with policy as well as individual cases. The Public Health Committee however accepted the proposal. The report of the Director of Education and the Medical officer of Health following the Robert Rodrigues enquiry suggested that this should be reconsidered. At that time (1979) the Cases Conference Committee had not met since 1976. In a later paragraph of the report consideration was given to whether the child's death could have been averted and the following occurs "... if there had been in the Island an effective body with power to co-ordinate and direct the actions of all the various agencies that exist to protect children at risk; then it could have been possible to remove the Rodrigues children ... before the tragedy occurred".

20.5 If this is a reference to a review committee, we feel that this is to misunderstand the function of such a body. In the last resort each agency is responsible for carrying out its statutory powers and only the Attorney General has the power to bring a child before the Royal Courts as being in need of care, protection or control. Unless the review body is given some statutory power it cannot direct the actions of the various agencies. It can however aim to co-ordinate action as it is a forum in which each agency can put forward its views supported by sound professional argument, so that a consensus of opinion can be reached.

20.6 The DHSS circular also recommended setting up a register of all proved or suspected cases in each area to which agencies would have access but under conditions of strict confidentiality. We have mentioned elsewhere that an "at risk" register exists but this is a register of all children known through delinquent acts as well as those at risk of abuse. In talking to individual members of staff we found that they were very hazy as to whether certain cases were on the register, or indeed its purpose. One or two were not sure how names were placed on it. A question on the number of known cases of abuse on the register, indicated that this was not readily known. In practice the Children's Officer makes the decision as to which names should be included, but there is no written criteria for including names. Neither is there machinery for removing names from the register once they are placed on it.

20.7 Arrangements exist for the Children's Officer to admit a child to hospital if a case of abuse comes to his notice. This would seem to be an excellent practice and ensures that a medical opinion which is the prerequisite of any further action is obtained. The hospital is therefore used as a place of safety in extreme cases.

20.8 Any agency can request a conference following a case of suspected abuse coming to notice - the Chief Nursing Officer indicated that she would make the request by telephone and then confirm in writing. Conferences are called within 24 hours unless the case is so blatant that the police are informed and immediate action taken to protect the child. It is chaired by the Director of Education or his assistant; the Children's Officer acts as convenor.

20.9 At present the Nursing Service is only invited if a child under 5 years is involved - the Chief Nursing Officer feels that she should be invited to all conferences. This would be good practice as the health visitor may often have information about a child or family, even though the child under discussion may be of school age. The one primary conference attended by Miss Wilkinson illustrated the prime function of a conference in bringing together information held by all agencies - in this instance vital medical information was obtained through the school health records yet there was no doctor or nursing officer present.

20.10 The conference decided who the key worker should be in each case. This task is said to be fairly evenly distributed between the staff of the Children's Section and the health visitors. The Conference may decide a date when the case shall next be discussed but if it does not then the responsibility for initiating a review of the case rests with the key worker. There is therefore no automatic system of review.

20.11 Relationships with other agencies on the question of abuse were said to be good. Particular reference was made by the Children's officer to the good co-operation which exists with the Police and to the easy access he has to the Attorney General when he wishes to discuss a point of law.

20.12 The Children's Section gives child abuse a degree of priority in its work and child care officers are very concerned about the problem. Whilst a level of anxiety is felt about it which is indicative of a sensible degree of alertness, it did not loom overlarge in discussion with workers. Jersey is, in this respect, in a favourable position by comparison with the Social Services Departments of the mainland where child abuse is sometimes seen as provoking a disproportionate degree of anxiety. The smallness of the agency and its child care focus no doubt has much to do with this for staff obviously feel supported by the Children's officer and the senior child care officers. One case record of a suspected case which was seen indicated thoughtful work with the calling of a case conference (at the instigation of the Paediatrician) when appropriate.

20.13 There are no written procedures for the guidance of workers although we were assured that all child care officers will have seen the papers outlining the process to be followed. Child abuse procedures are about inter agency co-operation and there would be a case for seeing that workers in all agencies have written guidelines. There are other workers such as play group leaders and day nursery wardens who are not part of the statutory services yet may be a vital link in identifying cases of abuse and they should have written guidance on what to do.

20.14 There are therefore aspects of the child abuse arrangements which we feel should be tightened up. Firstly the child abuse register should be separate and easily identified. It need have no more than basic information about the child, his family, the reason for being on the register, and the agencies involved together with who is undertaking the prime work with the family and therefore where more detailed information is held. It should have details of the dates of case reviews. It should continue to be held in the Children's Section and the arrangement for those having access to it spelt out in writing. Access should be by designated senior staff in each agency and requests for information dealt with by a call back telephone system. One person in the Children's Section should have overall responsibility for maintaining the register. Secondly we feel that the inclusion of names should be a conference decision and the criteria on which such decisions are made spelt out. Similarly criteria should be spelt out for removing names from the register.

20.15 Each case which is named on the register should be reviewed at regular intervals to assess progress and whether it is appropriate for the name to remain. At the moment reviews are only called if the worker feels it necessary; this would seem to be too informal an arrangement.

20.16 We also suggest that simple written procedures should be compiled in order to familiarise all workers in any agency with the problem of child abuse and the procedures to be followed when a case is suspected.

20.17 If case conferences (at which senior staff were present) were held at regular intervals, part of the agenda could be devoted to monitoring the incidence of abuse, considering how successfully co-ordinating arrangements were working and also considering the training needs of workers.

21. Day Care

21.1 The responsibilities laid on the Education Committee under Articles 68 to 76 of the Children (Jersey) Law 1969 relating to the registration and inspection of Nurseries and child minders falls to the Children's Section. In practice the work is clearly divided with the child care assistants undertaking work with child minders, and the senior child care officers with playgroups and nurseries.

21.2 Child Minders

Statistics collected on 31 January show that there were 85 child minders - one child care assistant was responsible for 42, the other 43. The work is divided on an alphabetical basis. The need to register is advertised through periodic notices in the press published in English, French and Portugese. On the whole these bring forth little response. Talking about the work of the Department to local groups brings forth a few queries from people who are unaware of the law, but otherwise notifications may come from health visitors or directly from people who are aware of the need to register.

21.3 The Section does not issue any written information for the guidance of child minders, though aspects of the arrangement and requirements are discussed at a preliminary visit. Particular attention is paid to fire guards, gates on stairways, an enclosed outside play space and whether paraffin heaters are used. Informal telephone checks are made through the Chief Nursing Officer but no formal reference is made. The Chief Nursing Officer was confident that the Health Visitors were aware of all child minding arrangements and are in a good position to know what is going on. No medical reference is asked for though reference is made to the Housing Department for those living in States housing, and a check is made with the Parish Constable. The child care assistants have to make judgements about the quality of care that is being given, and an assessment of the child minder's appreciation of the child's emotional needs, and the ways in which these are being met.

21.4 A brief report is compiled for the Director of Education who issues the certificate of registration. All child minders have to re-register yearly, therefore there is a minimal annual contact but the child care assistants aim to visit each minder twice a year, and more often if appropriate. No group meetings or training sessions are organised for child minders.

21.5 Fees for child minders (paid by the parent) vary, but a survey undertaken some twelve months ago indicated an average payment of between 30p and 50p an hour with about £12 a week being the average for full 5-day a week care. There is no statutory system whereby places can be sponsored by the Education Department for children in need, although one example was quoted where the Children's Section and the Parish each paid half the fees for a child in care. Otherwise public funding of fees can only be through the Parish.

21.6 The child care assistants see themselves as being used as resource people and can usually suggest suitable child minders when requests for help are made. The analysis of one child care assistant's work load indicated that the 42 registered child minders could care for 69 children between them and of these 20 minders were currently being used.

21.7 Nurseries and Playgroups

Statistics show that 34 groups or nurseries are registered with the Department. Only three are administered by the St Helier Welfare Department. The remainder are all private groups, the majority being profit making. There are very few parent-run groups. Groups vary in size - one of the St Helier Day Nurseries is for 60 children and full time, but at the other end of the scale are 3 groups which are registered for 10 children and function part-time.

21.8 The Department has spelt out simple minimum requirements on technical aspects of group care. The ratio of staff to children proposed does not indicate that in group care there should be a minimum of two adults in attendance in spite of the basic guidelines of one adult to ten children. The requirements are presented to intending applicants in writing on a brief single sheet of paper. All initial enquiries are dealt with by the senior child care officer with the greatest expertise in this field. Before registration a number of discussions and visits to the premises may be made. Checks are made with the planning department, police and fire prevention officer, and a personal reference is taken up. An initial chest X-ray is no longer required, though informal checks are made with the Chief Nursing Officer. A brief report is compiled and the certificate of registration issued by the Director of Education. Groups are inspected once a year.

21.9 Charges for groups and nurseries vary, but the three St Helier Welfare Department nurseries either make no charge or have reduced fees for those at risk. They will accept children from outside the parish boundaries. Many nurseries accept babies of two to three months old - this provides a service for unsupported mothers as the Parish relief system may decline to continue financial support and there is then no alternative but for the mother to find work and place her child in day care. A number of groups will accept children who are handicapped in some way.

21.10 Health visitors continue to keep in touch with children known to them, though there is no formal health visitor/nursery link. The Chief Nursing Officer pointed out that the screening of pre-school children by the medical officer concerned with developmental paediatrics is easily arranged through the nurseries and playgroups.

21.11 A playgroup supervisor's course is held at Les Quennevais School - the salary of the Tutor being paid by the Education Committee. This is a 2 year course consisting of a day a week on theory in the first year and practical work and experience in the second year. This course was originally modelled on the Pre-school Playgroup Association's Foundation Course. It has been popular with women working in nurseries and play groups (and attendance is recognised as a qualification for running a nursery or group), but hitherto it has been free. If fees were to be charged, as is now being suggested, then many women might have to withdraw.

21.12 The Pre-School Playgroup Association is active on the Island and most groups belong to it. It has no organiser.

21.13 The two senior child care officers share the work of supervising and inspecting the nurseries and playgroups after registration, but Mrs Chappell is obviously more involved in this work than Mr Skinner and helps in training courses. She retains links with the NNEB training course, though the course is giving rise to current concern in that whilst there is no shortage of applicants wishing to undertake the training, outlets for employment on either Jersey or the other Islands are limited.

21.14 Mother and Toddler Clubs

There is only one mother and toddler club on the Island.

21.15 Service Delivery: Comment

The standard of service provided by the Children's Section to those catering for the under 5s is reasonable. There could, however, be room for considerable development over such matters as offering more group support to child minders and opening up the day care provision as a preventive measure in keeping families out of care. Apart from the day care unit at Brig-y-don, no day care provision was visited, but from discussions with the child care staff it seems that much may be on very traditional day nursery lines. There seemed little evidence that mothers are involved to any great degree in the day care that is provided, which is now a common feature in day care on the mainland and the Children's Section could promote such a development.

21.16 The organisation of the division of work for under 5s in the Children's Section throws up a contradictory dilemma. The skills in assessing and supervising child minders are akin to those required in work with full time foster parents, yet the work is allocated to the child care assistants. On the other hand, work with playgroups and nurseries which

demands skills and knowledge of a different kind, is allocated to the senior child care officers. This work might more appropriately be carried out by someone at a different level but with the appropriate knowledge. In other words it would seem that one type of work with the under 5s is pitched at too low a level of responsibility and the other possibly too high.

22. Education Welfare

22.1 The Children's Section carries out the responsibility for education welfare through the employment of a child care assistant (School attendance). Presently the post is held by a young woman who has a background as a clerical officer in the Immigration Department. She has held the post for three years.

22.2 The post involves four main tasks, the predominant one being the investigation and control of non-school attendance. The other tasks relate to the initial investigation of social and welfare problems arising from non-attendance at school, some escort duties and some statistical work on the state of the school population.

22.3 The primary task of investigating non-school attendance is conducted both through regular monitoring and inspection of school registers, and through building up constructive liaison with school staff, and the parents of children. There are 46 schools on the island, including the private sector. There are 6 secondary schools, and the bulk of the non-attendance work arises at these establishments. Jersey has a very good record of school attendance and this is sustained by a policy of close surveillance and firm remedial action, both by the Education administration and by the Courts. The child care assistant maintains a regular cycle of visits to schools, examining records in secondary schools weekly, and primary schools fortnightly. She has a remit to investigate frequent lateness as well as any other unwarranted absence. During a typical term the following might be the incidence of children for different reasons (figures for Autumn Term 1980):-

Late-comers	20
Unwarranted Absences	121
Truants	16
Genuine absences	36
Total	193

22.4 The child care assistant divides her working day during term time between monitoring work and follow-up. By the examination of each school register, children with lateness or attendance problems are identified. The officer evaluates any explanatory note from the parent and make judgements about their genuineness. Unwarranted absence usually involves real or feigned illness by the child, the parent keeping the child at home for their own convenience, or family outings or holidays. Each day about 6 or 7 cases are followed up. The frequency of absence is one of the key indicators used by the child care assistant in considering what action she might take and, of course, there are a number of persistent problem children. The level of deliberate and premeditated truancy is not high, but there is a

certain hint of casual truancy, particularly with secondary school children at the top of the school. The general ethos of Education in Jersey and the supportive attitude of parents to their children's schooling is one which will not tolerate this type of misbehaviour.

22.5 Later in her working day the child care assistant will visit the families involved. Her first approach is to gain parental co-operation, particularly where there might be a situation of the child deceiving both school and parent. In some rare instances she may agree to assist by accompanying the children to school for a period. If co-operation is not forthcoming, then administrative procedures are put in hand, with warning letters advising parents of their responsibilities. Failure on the part of the parent to respond will usually result in Court appearances, with subsequent fining on conviction. On average four parents are taken to Court each year.

22.6 In the case of truants the approach is to concentrate more on the child. Pressure is put on the child to attend, and his movements and behaviour are more closely monitored. The child care assistant will check with other social agencies and in particular will consult with the Children's Officer about any welfare aspects of the case. In many instances the child is already known to the Children's Section or Probation Department, and it is sometimes necessary to decide on a division of labour between the various social work professionals involved. She has also developed her welfare role in terms of assistance and advice with school uniform and equipment. These can put some pressure on less well-off families, and some easing of the situation can be arranged through voluntary sources. She has obviously developed very good working relationships with the Head teachers and has ready access to mose teaching staff concerned with individual children.

22.7 The child care assistant also undertakes a number of administrative tasks related to the census of the school population. This involves some survey work and the monitoring of the mobility of families and children, both in and out of the Island, and around it. She also prepares a weekly breakdown of children under supervision to the Probation Department. Recently, the child care assistant has taken on administrative responsibility for servicing the Department's Summer play scheme. Five schools are used as play centres during the long summer vacation. These centres are staffed by students and the child care assistant acts as a liaison officer, ensuring that equipment is available and that premises are properly manned. She does not carry managerial responsibility.

22.8 Other than the work of the child care assistant described here, the Children's Section does not involve itself in any other form of school liaison scheme, except on the basis of individual cases. In 1973, as an experiment, an attachment scheme was devised whereby a senior child care officer, Mrs Chappell, linked in various ways with the St Helier school for Girls. This scheme seemed to allow the Child Care Officer a more responsive access to girls with problems and was seen as a means of promoting very positive preventative work. For a number of reasons this scheme did not proceed. This situation is in contrast to the policy of the Probation Department which currently operates a scheme of school liaison whereby a Probation Officer spends half a day each fortnight on attachment to one of the four States secondary schools. In the present order of priorities the Children's Section has reduced its contact with schools, except in terms of liaison with individual cases, and is constrained by policy from any promotional or developmental work with them. This policy should invite reappraisal, especially if closer integration of the Children's Section within the general strategy of the Education Department is desired.

22.9 As has been noted previously the School attendance and education welfare activities of the Department seem to sit uneasily in the Children's Section. The child care assistant appears to be in a relatively isolated organisational position with direct line accountability of the Children's officer, in contrast to all other basic grade and ancillary officers. The Children's Officer acts as the Department's agent when warnings or proceedings against parents are being considered, and no doubt communication is improved by this direct line. However, we feel that it would be in the interests of the post and the postholder if closer integration into the team structure could be achieved. This might also provide an opportunity to rethink the balance between the school attendance and welfare/school liaison aspects of the post.

22.10 At the present time the school attendance and statistical aspects of the job are rightly dominant. This seems inevitable given the size of the school population, number of schools, and a single post. In the future, we consider that the post might constructively be shared between two child care assistants working within the two team structure and splitting the school attendance and statistical work equally along some agreed dividing line. This will leave more scope for the development of the welfare and schools liaison role. An important element in any restructiring or redesignation of post will be to provide appropriate training, for both the administrative and professional aspects of the job. One of the current strong features of the single post approach is the ability to operate on the basis of a coherent interpretation of policy. A means would have to be sought of achieving this level of coherence were the work to be split. We consider that the above suggestion would provide an opportunity for the child care assistant to operate more fully as an Education Welfare Officer taking a wider range of work, including children with special needs.

23. Services for Young Offenders

23.1 The provision of services for juvenile delinquents is shared between the Children's Section and the Probation Department. There appeared to be amicable and constructive working relationships between the two services. Referrals of young offenders or juveniles thought to be at risk of delinquency are directed to the respective department on the basis of age. Children under 12 years of age are seen as the responsibility of the Children's Section, unless the family is already known to the Probation Department. Children over the age of 12 years are directed to Probation unless the child is already receiving some oversight from the Children's Section. This arrangement seems to work well and there is no current move to alter the transition age.

23.2 Children who have committed acts of delinquency usually first come to the notice of the agencies by virtue of an appearance of a local Town or Parish Hall Enquiry. Child Care Officers and Probation Officers attend these initial hearings and may continue to be involved if the Centenier considers that the matter should be heard in the Juvenile Court. This meets weekly at St Helier. Both the Probation Department and the Children's Section retain a Court duty officer. This duty is taken in monthly rotation by the Child Care Officer. This allows expertise to be spread, and there would not seem to be a strong argument for the development of a single Court Officer post within the Children's Section. Professional staff in both departments feel that the level and type of delinquency is similar to that of an equivalent mainland community, but that the level of under-age drinking is higher. There has been some incidence of "glue-sniffing" but no great problem of drug abuse. It would seem that a small Island community such as Jersey imposes a greater pressure to conform to acceptable public standards than elsewhere in UK. In many ways the local Parish Hall Enquiry System aids considerably the maintenance of these standards.

23.3 Services for young offenders in Jersey are overseen by the Juveniles and Delinquency Co-ordinating Committee. This is an ad hoc group of senior officers and representatives from interested departments and organisations, including Education, Probation, Prison Authority, Children's Section and Youth Services. The Committee has set up the "Juveniles at risk register" (see para 8.6) and has sponsored Working Parties to consider Intermediate Treatment and a Junior Attendance Centre. This latter development is now in operation. The Centre is managed by the Probation Service and has an ex-teacher as the Officer-in-Charge. Ten boys between the ages of 14-21 currently attend for two hours on Saturdays during the period of the Attendance Centre Order. The Centre is based in school premises and the programme consists of one hour's physical training followed by an hour of social skills work. Agencies consider that the Attendance Centre is a very satisfactory addition to resources.

23.4 The "At Risk" register has been less successful at achieving its stated objective of providing a readily available cross-reference facility. Whilst the Probation Service and child care officers may find it useful, the Honorary officers of the Parishes have not used it and this has given rise to some concern about its continued utility. As we have noted earlier in this report some clarification about the role and function of registers seems to be needed.

23.5 The Juvenile Court has power to place children on Supervision Orders (Articles 28 and 29) to both the Education Committee and the Probation Department. It is also practice to ask both agencies to take some children on Voluntary Supervision, especially after a Parish Hall Enquiry. Currently Probation have 40 children under Voluntary Supervision, the commitment lasting usually between 3 to 6 months. It is not possible from the Children's Section Statistics to identify the size of the equivalent task for the Section, but in the past years the numbers of Voluntary Supervision Orders made by Centeniers has been as follows:-

	1978	1979
Children's Section	38	37
Probation Department	73	82

When considering the possibility of introducing a Scheme of Intermediate Treatment, the Co-ordinating Committee Working Party concluded, in December 1979, that much of the supervisory work undertaken through these Supervision Orders had many of the features of mainland IT schemes in operation at that time. With the introduction of the Attendance Centre, and a greater, more focused collaboration between social work and leisure services, it was felt that Supervising Officers would have a wide enough range of community based opportunities and alternatives to custody without the inauguration of a specific IT Scheme. This argument may have some strength in the Jersey context, where the continuance of single-client oriented departments has not led to the diffusion of expertise experienced elsewhere. The main consideration still remains one of adequate manpower. Staffing levels should enable close and constructive individual supervision by the social workers, and to allow for the development of supportive extension activities such as running small groups for children at risk.

23.6 Les Chenes

Apart from custodial facilities for young offenders provided at La Moye Prison, the only residential facility on Jersey for young offenders is Les Chenes Residential School, opened in November 1977. The express purpose behind the development of Les Chenes was to reduce the number of mainland placements being made in Community Homes with Education and this objective has been achieved. Jersey now has no children in mainland CHEs, the last girl having just completed her placement at Farringdon CHE. Three years ago the average number of children placed on the mainland was eight. The Principal of Les Chenes, Mr Tom McKeon, took up his appointment prior to the development of the school and has been instrumental both in determining the final design of the building and in developing the unique regime at the centre.

23.7 The premises at Les Chenes seem extremely suitable for their work. Twenty children can be accommodated at the school, although four of these places are reserved for remand purposes in secure accommodation. The main unit of accommodation on the campus is a converted farmhouse, the original Les Chenes, and this is used to house the administrative offices on the ground floor and living accommodation and bedrooms for the children on upper floors. The more recent development consists of the secure suite, classrooms, workshops and accommodation for staff. The buildings are surrounded by reasonably sized grounds which provide space and facilities for both recreation and practical activities. There is a games pitch, floodlit hard play area, formal garden, vegetable and fruit plots. A propagating greenhouse and store buildings are being constructed and maintained by the children.

23.8 Children are placed at Les Chenes for both long-term treatment and during a period of remand. Under the latter circumstances the children would usually be accommodated in security during the night. Otherwise, the regime at Les Chenes is primarily designed for children receiving long stay treatment. The code of practice enunciated by the Principal in his very useful "Handbook" for Les Chenes, describes as follows the categories of children for whom the provision is designed.

Long Term Placement

i. The major category placed at Les Chenes for long-term treatment should be those committed to the Education Committee as offenders under Articles 24(i) and 31 of the Children (Jersey) Law 1969.

ii. Another group would be those children who in the terms of Article 27 of the same Law are deemed to be "in need of Care, Protection or Control". Falling into this category might be those children who because of their behaviour, rather than necessarily offences, present as being in need of residential education in a secure environment.

iii. In normal circumstances, then, only those children who have been brought before the Courts and for whom there is a recommendation for residential schooling and treatment should be admitted to Les Chenes. However, the Education Committee has reserved to itself the discretion to admit children without Court Action. In this latter category, any child will normally be in the Care of the Education Committee or Care proceedings will be implemented to coincide with his admission.

Ages

Children placed at Les Chenes must normally be over the age of 10 and not beyond the age of compulsory school attendance. The following factors suggest that children should be over the age of 12 on admission:-

i. The size of the establishment, its facilities and number of staff affects the total age range which can be catered for. This problem is exacerbated by the wide range of abilities which exists in any age group.

ii. For most children the various possibilities of supervision within the community are not exhausted before the lower age mentioned. It is often argued that these possibilities should be fully examined before resort is made to residential care and education.

iii. The limitations of the establishment suggest that the optimum length of course at Les Chenes will be in the region of two years, and it seems likely that the constructive potential of the establishment is about three years. It should be borne in mind that experience has shown that it is for a whole range of reasons, difficult to reintegrate children into a "normal" school situation. The logical onward move from Les Chenes would, in the majority of cases be to work, or alternatively to some form of Further Education.

Remand

Any child who may lawfully be remanded in custody may be remanded to the school by the Courts or by means of a Jurat's Warrant.

During a remand period, the children will be, as far as is practicable, integrated into the normal life of the school for purposes of both education and social organisation. The period of remand will be looked upon as a period of residential assessment.

23.9 It is important to note that Les Chenes is primarily a residential school and is not strictly comparable to a mainland Community Home with Education (CHE). It is managed by a separate Sub-Committee of the Education Committee and whilst the Children's officer has day to day line management of the Principal, the unit enjoys a quite different degree of independence compared with Haut de la Garenne. As an educational establishment its primary objectives are couched in terms which emphasise aspects of education and vocational training. Whilst not able to comment professionally on the quality and nature of education provided, observation suggested that this area was being well resourced and that the teachers were enthusiastic and able. Certainly the children seemed committed to their work and there was a noticeably diligent and creative attitude to educational tasks.

23.10 The unique feature of Les Chenes is that the social learning for the young people is based on a Token Economy. Mr McKeon has now developed a very sophisticated version of this firm of behaviour modification, and the scheme certainly seems to be achieving good results and real co-operation from the children.

23.11 At the time of the inspection there were 15 young people in residence, two being girls. Thirty children have been admitted during the previous 3½ years. The unit has never achieved maximum occupancy, and it would therefore seem that the original proposals of the planners may have been generous given that current facilities and policies remain. The ages of the present group are as follows:-

age, years	girls	boys
12		1
13		2
14		5
15	1	1
16	1	4

The backgrounds of the children showed the usual range of precipitating factors, with damaged family relationships playing a prominent part. By definition the commission of acts of delinquency features more obviously than with children in the other residential establishments, and some of the problem behaviour is very severe. A few of the children have experience other forms of residential care, some for considerable periods. The range of ability of the children is also very varied, but educational potential is more likely to be reached by placement at Les Chenes. It is our feeling however that the Token Economy method of working may have the effect of masking very deep seated emotional conflicts as it can produce responses of outward conformity. Yet one must not deny the positive benefits that a substantial period of relative calm and security can bring to young people and that this can assist and enable the maturation process. The fact that Les Chenes is co-educational also assists this and the Token Economy is designed to enhance social and personal relationships both within Les Chenes and in the wider community.

23.12 In contrast to the general practice of the Children's Section, the children are regularly assessed and reviewed whilst at Les Chenes. As well as the respective child care officer of Probation Officer, the Educational Psychologist Mr Birtwhistle, plays an important part in the school. He regularly sees all children for pre-court assessment and attends termly reviews on each of the resident children. An important element of the programme and one of the key aspects of the Review process is the matter of retaining the child's links with his family and preparing him for eventual return to the open community. In much of its work, Les Chenes keeps open lines to community facilities and the Token Economy is geared to enabling progress to be made on this front.

23.13 As with other residential establishments the final step of leaving is not without its difficulties. Difficulties relate primarily to accommodation and to employment opportunities. The Senior Staff at Les Chenes are not particularly happy with the boys hostel provided by Jersey Association of Youth and Friendship and would prefer to develop their own satellite provision for school leavers. Considering future employment plays a great part in the life at Les Chenes. A work experience scheme has now been in operation for some time, and whilst the major problem is in finding suitable employment experience, the benefits of the scheme to the children have been enormous. All the children, barring one, who have passed through the scheme have been offered a job at its conclusion. Advice from the Careers Officer is also available and built into the curriculum, as is some element of vocational training and preparation.

23.14 Although an evaluation of Les Chenes was not strictly within the brief of the inspection, we have considered its operation in some detail as it obviously has an important part to play in the range of services for children in care. It appears to us that the establishment is providing a unique experience for the resident children, based on what appears to be a high quality of specialised education and a very warm and committed approach to the children by the adults. The establishment is also very "professional" in its task, having worked out its conceptual framework in advance of operation, and consequently refining practice within this framework. This appears to have lead to a security and sense of purpose which is shown by the behaviour and responses of children and staff alike. However continuous vigilance needs to be maintained against the more damaging effects of institutionalisation, some of which may be fuelled by rigidities in the Token Economy System. We see an enhanced role for Les Chenes in future years, working with many more difficult children, especially those who are in care but not necessarily defined as deliquent in the narrow sense.

24. Haut de la Garenne Children's Home

24.1 Haut de la Garenne was built in the 1870s and for almost the next 100 years provided total care, education and trade training for up to 100 Jersey boys. In 1960 Haut de la Garenne was changed from the Jersey Home for boys to a mixed sex, all age establishment. This was achieved by the closing of the Jersey Home for Girls. In 1966 the residential nursery was closed A new wing was added to the original building and the Home operated on the basis of 3 groups of children of mixed ages and sexes up to primary age and a fourth group of senior children. As well as providing full residential care, the Home also functioned as the local children's remand facility. In 1973, with a change of Superintendent, the premises were again upgraded and refurbished and a more overt policy of family grouping was introduced. On the whole this development has been considered more successful than previous policies and the all-age groups have been found to be more manageable. With the advent of Les Chenes Residential School in 1978, Haut de la Garenne has not had to contend with the problems of the more difficult senior boy or with providing remand places. They still have to cope with the more difficult senior girl who is disturbed, but not delinquent.

24.2 Currently Haut de la Garenne provides accommodation for a maximum of 60 children of all ages, living in 4 relatively autonomous house units of 15 children of mixed sexes and ages. At the time of the inspection there were 41 children in residence and this level of occupancy had been operational for some time. As a result one unit had been closed. When fully operational the policy is that one unit will act as a reception group; this seems eminently sensible given the very high level of short-time admissions (see paragraph 24.4). However, under the present three unit system no special facilities are available for reception or short-term admissions. The age range of the children who can be admitted runs from a few days to 16 or 17 years. In general terms the Home seems to have two primary functions. Firstly, as the major and most accessible residential resource on the Island it provides a ready facility for a great deal of emergency and short-term care. Secondly, it is currently acting as a long-stay children's home for a substantial group of young people who have spent many years at Haut de la Garenne. It is not difficult to see that these two tasks could easily be in conflict and it is our view that this is the current situation and thus highly unsatisfactory.

24.3 The Children at Haut de la Garenne

The 41 children were accommodated as follows:-

Aviemore	14	(7 girls	7 boys)
Baintree	13	(5 girls	8 boys)
Dunluce	14	(5 girls	9 boys)

Each unit has children of all ages with a preponderence of teenagers. A typical care group comprises a core of long-stay children who may have been resident from anything between 3 months to 11 years, and short-stay children who are constantly changing and usually leave within 3 months.

24.4 In order to obtain a clearer idea of the functions of Haut de la Garenne, the details of children admitted over the last two years were analysed. During that period (commencing 31. 3.79) a total of 233 children were admitted (65% boys 44% girls). Of that number, 21 children are still resident. This would seem to indicate that the twenty children who were already resident on 31 March 1979 have seen over 200 children pass through on short, often extremely brief, placements. The following Table 6 shows a breakdown of their length of stay of children admitted and discharged during the two year period concluding 31. 3.81.

Table 6

	%
Overnight stay	18
Less than 1 week	21
less than 2 weeks	26
less than 1 month	15
less than 6 weeks	8
less than 3 months	3
less than 6 months	3
over 6 months	6

The Table shows that 65%, approximately two-thirds, of the children had left Haut de la Garenne within a two week period. This clearly shows a very rapid turnover.

24.5 These lengths of stay compare dramatically with the periods of care experienced by the 41 children currently resident:-

Table 7

	%
Up to 3 months	17
Up to 6 months	2.5
Up to 1 year	9.5
Up to 2 years	27
Up to 5 years	27
Up to 10 years	12
Up to 11 years	5

The figures show that over half the children have been resident between 1 to 5 years, with nearly a fifth of the children experiencing long-term care up to 11 or 12 years. Again one should stress that it is the comparative size of these groups which is the cause for concern.

24.6 The ages of children at admission in the two year sample were also examined. In the following tables, age bands have been chosen in order to group numbers in terms of pre-school, primary or secondary school, and working children.

Table 8

All children admitted 1. 4.79 to 31. 3.81

	%
Under 5 years old	32
Up to 10 years	31
Up to 15 years	34
16 years	3

This age profile can be contrasted with that of the 41 children resident at the time of the inspection.

Table 9

Resident children

	%
Under 5 years old	17
Up to 10 years	17
Up to 15 years	60
16 years and over	6

Given the very high proportion of the children in the two year sample who stay for very short periods (80% stay for up to one month) we can easily see that the longer stay children are relatively older than the average intake of children for any year. It might also be remarked that the figures for length of stay and age support the view of "Children who Wait"(*) that if a foster home or community based placement is not made within 6 months, then the child may experience a much longer than desired period of residential care. Also interesting is the fact that the short-term admissions are cast fairly evenly across the age groupings. More detailed analysis shows clear peaks to admissions at between 2 to 3 years, 5/6 years, 11/12 years and at 14+ years. There are some differences between boy and girl admissions, more boys being admitted at about 2 years old and at 11, whereas for 5 and 6 year olds there is no difference on the grounds of sex.

24.7 Perhaps more than anything at Haut de la Garenne, our attention was focused on the great number of short-stay children and the reasons which were given for their admission. The use of Haut de la Garenne as an emergency setting was clearly illustrated by the analysis. Nearly one in 5 of the children admitted only stayed overnight, and when the children who stayed for less than 7 days were added the proportion was 4 out of every 10. It should be noted that this proportion is somewhat higher than a similar figure for Observation and Assessment centres in the Wessex Region where an average of 25% of the children admitted resided for one week or less. Our belief is that the reason for this higher level of emergency

(*) "Children who Wait" J Rowe and L Lambert 1973 ABAA

admissions relates to the fact that alternative provision is not readily available. Furthermore the question arises whether Haut de la Garenne is the most appropriate setting for these emergencies and whether the use of other facilities, for instance the voluntary children's home Brig-y-don, or the development of short-term fostering, would be preferable. Overlapping with this group, but defined more specifically as "short-stay", we found a great number of children and families who are admitted because of the incapacity of the mother, and in some cases father, to care for them for a relatively short and predictable period. There were many instances of children being admitted to Haut de la Garenne because of the mother's hospitalisation, either for confinement or surgical reasons. Another major group where short-stay care was used seemed to be in cases where some preventative action was being taken by the social worker, and the removal to residential care provided a form of safety valve. In many cases the admission book records that the children were received into care in order to give mother a rest. It should be commented that in general mainland circumstances neither of these two latter reasons for short-term admission would nowadays have been responded to by a residential placement, and it must therefore be questioned seriously whether this is a suitable response, given the nature of Haut de la Garenne in providing long term care. In only a minimal number of instances was it indicated that any form of residential assessment was required. No doubt, the views of the residential workers were sought by the child care officers, but this did not seem to be done in any organised way. The register indicated that nearly all the short-term admissions returned to their own homes or foster homes on discharge. It would seem that the boundaries to short-stay admission are drawn rather too liberally and that some narrowing would be in children's interests. Although it is reported that child care officers often attempt to get a family's neighbours and friends to assist in times of crisis the type of family involved often does not have such extended support.

24.8 The identification of the two distinct groups of short and long stay children raises the question of whether differentiated regimes at unit level should be created. As has been noted, the Superintendent set up a short-term reception unit in September 1980. However as a result of a sudden and unexpected fall in the number of admissions during the late Autumn/Christmas period the current three unit system was introduced in order to rationalise resources. By the time of the inspection numbers had begun to climb again, but it was felt that this was due to a diversion of short-stay applications from the voluntary children's home Brig-y-don to the State's accommodation.

24.9 One of the important features to note at Haut de la Garenne is its capacity to accommodate larger families, and this is certainly one of the most noticeable things about the stream of short-stay admissions. More importantly quite large families (up to 7 children) can be accommodated and this is obviously a bonus in any service. One of the other patterns that emerges from the analysis is that many families of children come in and out of care on a fairly regular, if short-term, basis. Their developing familiarity with the setting at Haut de la Garenne could be counted a bonus, especially as attempts are always made to group the family together. On the other hand, the location of the home and its size, must be a continuing cause for concern especially where very small children are involved.

24.10 The location of Haut de la Garenne standing on a hill above the village of Gorey, is some 5 miles from the main town St Helier. The main building is, and still appears as, an archetypal industrial school. It stands in an open rural setting, where the exposed nature of the site is much compensated by the excellent views along the coast line. It is sited

close enough to local villages for the children to shop, and access to the schools is either by public or the Home's own transport. Because of the location, opportunities for employment and recreation for older children can be limited as these tend to be centred in St Helier.

24.11 As noted earlier the premises comprise the original Victorian building together with its more modern wing. This latter addition contains accommodation for 15 children, some staff accommodation and the 2 secure rooms now mainly used for difficult girls. There is no doubt that a great deal of thought and imagination has been used to attempt suitable adaptations of the original shell of the building. For instance all the large dormitories have been sub-divided into smaller bedrooms for up to 4 children and sitting and dining areas have been created in 3 of the wings. Two of these adaptations are relatively successful producing integrated living and sleeping units for the care groups. The third adaptation is not so successful in terms of integrating spaces for day time and night time life. A considerable amount of capital has been expended on these modifications, the latest being to lower the level of ceilings in many of the rooms. However, the reduction in the number of children using the building has had the positive benefit of allowing each individual child to have more personal space in the units. In spite of this some communal places, and particularly the playing fields immediately surrounding the Home, remain rather barren and lacking in stimulation. However for all this imagination and commitment, the building still has the feeling of an institution. In professional terms the building is not suitable for any of the tasks in which it is currently engaged.

24.12 Each of the four units has much the same range of accommodation, although room sizes, location of services and fixtures and fittings vary. In general, each unit has a well furnished sitting room, dining area with associated facilities for preparing light meals and snacks, a play area, and various combinations of bedrooms for the children. The material standard in these units is very acceptable, and there is little evidence of damage or abuse of the fabric. The Home seems adequately heated, and the house parents attempt to make life as comfortable as possible for the children.

24.13 The Home is serviced communally for main meals and laundry services. There is also a seamstress who works under the Matron's guidance ensuring that the clothing and soft furnishings are maintained. Although there are facilities in the units for snack meals, most main meals are taken to the four units on trays and this involves some fairly lengthy journeys. The units have hot cupboards, however. Every attempt is made to provide an adequate, well cooked diet. Some consideration should be given to improving the catering facilities in the units, particularly with a view to involving children in the preparation of food and meals.

24.14 Bedrooms for the children have been developed from the previous dormitories. There may be up to 4 children in a bedroom and each seems well provided with suitable furniture and bed clothes. Some of the older children have the use of single or shared bedrooms and make every opportunity to capitalising of this. One practice which will be referred to later in this report concerns the sleeping arrangements for very young children and babies. At the present time they are removed to the nursery bedroom in the new wing and during the night are under the surveillance of the night nurse when she comes on duty at 10.30 pm. During the evening their house mothers will visit them, but generally we found this a most

unsatisfactory practice. Whilst appreciating the difficulties that night staff will have in hearing the young children if they are sleeping in different units and are not near the night room, we feel that there are preferable solutions to this problem.

24.15 Within the house there is communal use of a billiards and table tennis room. Outside, in the grounds there is an open air swimming bath and paddling pool. There is also a field marked out for football. Apart from these facilities the grounds are rather undeveloped and one would have expected to find more opportunities for play and adventure, especially for the younger age group. There is a need for more swings and large play equipment and also the development of some parts of the grounds as gardens, and for other activities. Although there is a danger that an establishment such as Haut de la Garenne will become inward-turning if too much is provided on site, the right balance can be achieved.

24.16 The fire precautions were examined and found to be adequate. There had been some instances of fire raising immediately prior to the inspection and this had been dealt with by the staff who had taken appropriate action.

24.17 The lifestyle for the children and staff at Haut de la Garenne can be broadly described as "traditional". The children are well cared for physically and the staff take as much interest as they can in their individual development. However the living groups still tend to be rather too large for the staff to work creatively, there is too much reliance on routine, and a rather more structured lifestyle than is necessary.

24.18 One of the effects of an establishment such as Haut de la Garenne is to create for its residents a rather too sheltered environment. We felt that this was very evident and both children and adults were susceptible to this. The children attend local schools but their network of friendships did not seem to extend to any degree actively into the community. In comparison with the children in the small family group homes the chances of their feeling that they belong to a neighbourhood were severely limited.

24.19 Generally it was felt that the long-stay children had less than a fair deal. They appear as a group who have emotional needs that are not being fully met. The staff attempt to tackle this problem through providing good-enough basic care and some social skill training, but their preoccupaction both with the day-to-day running of the group and the needs of younger children limit the amount of attention which can be offered. Our view is that this situation must deepen the frustration of the child whose emotional needs seem never to be adequately met. Many of the long-stay children at Haut de la Garenne exhibit disturbed behaviour as they pass through adolescence; and this could put them at risk when they leave to live in the community.

24.20 In mainland terms, the behaviour exhibited by the older children is not particularly serious. There is no persistent absconding or truanting from school, and the level of delinquency would be regarded as mild or negligible in a UK context. However by Jersey standards the children would seem to be difficult to place in other settings or foster homes. Until the professional foster home scheme is established, it would seem that the development of a residential facility for these children is required. This would allow their special needs to be identified and more adequately met than at Haut de la Garenne. One of the important factors is that this facility should be placed in an urban setting where the children will experience increased opportunities for the development of a more normal life. Their behaviour is not of a nature which requires a sheltered environment.

24.21 As noted earlier we were particularly concerned about the pre-school children at Haut de la Garenne. In the same way as the older long-stay children, there is a pressing need to see that their physical, social and emotional needs are met as fully as possible. In the large group setting at Haut de la Garenne there are certainly some doubts as to whether this is so at present. We have referred earlier to the unsatisfactory practice of relocating the babies for sleep in a part of the building away from their living group. By the same token we feel that activities for the under-fives need more thought and resources. There may be staffing implications here, but the number of under-fives currently accommodated may suggest that some type of play group could be developed. Again the need for good primary care of the younger children, especially at meal times and bedtimes, may find itself in conflict with the management of the rest of the large group. We appreciate that the staff do all they can to accommodate these different interests, but inevitably there is a conflict in the demands of the various age groups.

24.22 Perhaps the most difficult group of children for Haut de la Garenne are the adolescent girls. Our inspection supports the comments of the Superintendent, Mr Thomson, that this group requires some urgent attention. The girls are often beyond the control of their families and present problems of sexual promiscuity, under-age drinking and other anti-social behaviour which is difficult for the child care staff to manage. These girls require a great deal of counselling both in personal relationships and in sexual matters. On the whole it appears that sex education is seen as the primary responsibility of schools and the education system. We feel that this whole subject is one which could be followed up more closely by the care staff, but as with many residential establishments there is a wariness about this matter. The teenage girls also provide management difficulties where male members of staff are concerned.

24.23 On the whole the common behaviour problems are those of disobedience, non-cooperation and temper tantrums. These and other minor matters of indiscipline are dealt with by care staff at the group level. They tend to use a traditional tariff of sanctions which includes early bedtimes, fines, extra duties and in serious circumstances, the loss of a day or whole weekend leave at home. If this latter is agreed then the child care officer is informed and involved in the decision. The Superintendent is also allowed to use corporal punishment on boys between the ages of 10 and 15 years. He uses this sanction sparingly. The other means of control at the disposal of the Superintendent is the use of the two single separation rooms. These were originally intended as the children's remand facility on the Island, but currently they are used for more difficult older girls. The Superintendent has drawn up clear guide-lines for the staff on the use of the rooms and generally it would be expected that this would be minimal and infrequent. . The rooms are reasonably safe, but not built to current DHSS specification of secure accommodation.

24.24 Consultancy advice to Haut de la Garenne is available through the School Psychologist. Where the problem is school attendance or a general problem which is affecting school work then the Headmaster will refer direct to him. However the Superintendent can make direct referrals and the psychologist will then visit and talk with care staff about possible ways of understanding the problem and helping the child. As the level of truancy on Jersey is so low this is a fairly uncommon experience. Similar arrangements also exist for obtaining psychiatric advice through the Child Psychiatric Unit at the St Helier General Hospital. As Haut de la Garenne is not an observation and assessment unit, the opportunities for more extensive working relationships with these consultants have not developed. However the staff mainly look to the field work section and/or the children's officer for advice and support.

24.25 Primary children residing at Haut de la Carenne attend three primary schools, Grouville, St Martin and St Saviours. The first two are local village schools and the majority of the primary school children attend these, being taken there each day by the Home's mini-bus. Relationships with the primary schools and their teachers, and with the special school for handicapped children, Mont a l'Abbe, are reported as excellent. The secondary school age children attend all of the four secondary modern schools on the Island. La Quennevais School, at the far end of the Island, tends only to be used for short-stay children in order to provide continuity of their education. The house parents do all they can to meet their parental responsibilities with the schools.

24.26 We felt more concern, however, about the children's opportunities to extend their social contacts with school friends into their leisure hours. The main centre of most recreational activity is the town of St Helier and this is a relatively expensive bus ride from Corey. There are the usual problems of returning from the town after going to the cinema, club, disco, or sports centre, but most children are reliable. The other factor concerns the level of pocket money. In the light of their location the fact that seniors of 15+ and still at school only receive £1.20 puts serious limitations on their social life, as any trip to St Helier involves bus fares. Volunteer helpers from the local community sometimes come into Haut de la Carenne and there may be local contacts developed in this way. However the Superintendent reports that this is a fluctuating feature and the emotional insecurity of the children makes it difficult for them to take up these contacts in the neighbourhood with appropriate enthusiasm and commitment.

24.27 Haut de la Carenne is managed by a three man management team comprising the Superintendent, Mr Thomson, the Deputy Superintendent, Mr Purvis, and the Matron, Miss Campbell. Apart from Miss Campbell who has the NNEB certificate, none of this management group has any full-time social work qualification although they all have relevant experience. Mr Thomson has now worked for the Jersey Children's Section since 1966 when he was employed as child care officer. Prior to his present appointment he was a senior child care officer in the section from 1971 to 1976. The three senior managers operate on a rota basis; this usually means that one or two officers are on duty at a time. All three staff are never on duty together. Each evening one of the senior staff is available.

24.28 This senior management group run Haut de la Carenne and have direct access, through the Superintendent, to the children's sub-committee. The Children's Officer acts as the external manager to Haut de la Carenne, but it is not clear how he exercises this managerial responsibility except in administrative terms and at times of major crisis. Certainly there are no regular meetings between the senior Home's management team and the children's officer, and many of the decisions taken by the Children's sub-committee would be taken at officer level within any other social work department. We agree that as a major establishment the committee should consider the general policy for Haut de la Carenne, but should leave most management matters to be dealt with by the Children's Officer.

24.29 Each of the units has five staff working to it. Three of these staff are on salary grade 3 and two on grade 2. When on duty the grade 3 residential child care officers assume a group leader role although the routines and style of life tend to be so prescriptive that any worker, after a period of time, knows what to do and how to react. The level of real autonomy of the units was not clear and there may be less autonomy than appeared, with senior staff providing guidelines which help determine decisions about individual children. The child care staff work a two shift system; this operates from 7 o'clock in the morning until 10.30 at night with the change in the early afternoon. Usually staff on the late shift will rouse the children the following morning. Night-times are covered by the night nurse who is on waking duty in the new wing.

24.30 Staffing at Haut de la Garenne has always been a problem and there is a fairly continual turnover at the lower grades. All the senior staff have tended to be recruited from the mainland. Local policies, reinforced recently by rising unemployment, now inhibit recruitment of mainlanders to the residential child care officer posts and these are being filled by Jersey residents. Mr Thomson, himself a Scot, reported that the present staff were predominantly a mixture of Jersey people and Scots people. Half the staff at Haut de la Garenne are resident and the desire to be non-resident continues to grow. This trend has both negative and positive aspects for the children. On the positive side staff return to their jobs refreshed. They also have the opportunity of avoiding the more insidious aspects of working and living in a residential establishment. On the negative side there is a possibility that staff will take a more mechanistic attitude to their jobs and that the long-stay children will suffer as a result.

24.31 There are two main problems with the staffing at Haut de la Garenne. Firstly the level of staff cover for the size of the groups seems to be under some pressure, given the very wide range of tasks to be undertaken. The current staffing allows two members to be on duty most of the time. In the daytime this is reduced to one, which is probably adequate when many of the children are at school. As soon as tea-time approaches, however, the staff can be seen to be extremely stretched both in the range of practical tasks which have to be undertaken, and in the demands made by different age groups. These pressures are compounded by the geography of the building, and it is little wonder that some staff resort to the comfort of a structured routine and some noticeable degree of "herding". Some easing of this situation would occur if group sizes were reduced radically, or staffing levels increased. In either case, the unit costs will rise; such an exercise should not be undertaken without also looking at the constitution of the living groups.

24.32 The current establishment at Haut de la Garenne is for 20 posts at the residential child care officer grade. This is 6 posts fewer than that recommended by the Castle Priory Report "Residential Task in Child Care" for a 60 bedded home, given that about one fifth of the children would be under-fives. If the home operated at the 45 bedded level, then the present establishment, if fully staffed, would be closer to the recommended level. However vacancies on the staff and the multi-unit organisation seem to add extra strains on staffing levels and deployment. The Castle Priory calculations made above (for 40 hour week) have taken the least favourable level of staff/child ratio, namely 1:6 for the 5 to 17 year olds. Perhaps the alternate level of 1:5 should be used when considering multi-unit organisations. This would then give a staff establishment of 22 for a 45 bedded home. Neither of these calculations allow for relief for staff and school holidays. Including these factors, respective calculations would then rise to 24 and 26.5 child care staff.

24.33 Secondly, there is an urgent need for a programme of staff development and training. A staff meeting is held once a month, but this tends to deal with technical matters rather than those of staff development. A robust approach needs to be taken to staff training. The children's sub-committee has asked the Superintendent to look into this. Obviously staff development opportunities are extremely limited within Jersey and a consideration of this issue needs to be combined with overall thinking about training for all staff in the Section. These feelings are supported by our more subjective observations of the residential staff in action. Whilst there were many instances of outward going and sensitive caring, there was also a tendency on the part of some staff to be rather nagging in their relationships with children. This induced some feelings of tension. We feel that a staff development programme should aim to help workers understand their own attitudes and responses to difficulties and obstacles in their work.

24.34 The pool of people available for recruitment is, of course, extremely limited. In the past it has been possible to recruit people with experience, particularly nursery nurses. There is no doubt that a number of young people could be attracted to work at Haut de la Garenne if the working conditions were improved and there was a possibility of career development. Neither of these factors is easy to achieve. At the time of the inspection there were two vacancies on the care staff, and by April 1981 this would have risen to four.

24.35 Admissions to Haut de la Garenne are authorised by the children's officer or senior child care officers. The policy is to admit most cases referred, but the Superintendent has reservations at admitting severely mentally handicapped children or young people over 17 years old. In the case of night-time admissions, the night nurse can admit a referral from the police especially where the child is seeking sanctuary. Normally at admission, the details are given verbally and supported by the reasons. At this stage documentation is sparse, as is the medical background. Where there is a planned admission, for instance in the case of confinement or mother's hospitalisation, a pre-admission visit may be made by the child and/or his parent. However these occurrenances are very infrequent. Normally children will be admitted straight from the previous place of accommodation, although it is true to report that many children have a series of stays at Haut de la Garenne and it is not unfamiliar territory to them. At reception, the children are met by a senior member of staff and then placed into one of the care groups. If it is a return visit then placement may be sought in the previous group. Otherwise an attempt is made to place a child in a suitable group. Wherever possible families are kept together which may mean that a group will go over number for a short period of time. Each child receives a medical within 48 hours of admission.

24.36 During the course of the child's stay his progress will be reviewed with the responsible child care officer. On alternative weeks one of the senior child care officers visit Haut de la Garenne and goes through with the senior staff all the children resident pertaining to that particular team. This is a paper review and the practice is not satisfactory (see paragraph 17). Child care officers visit their children at anytime and some obviously are more diligent than others.

24.37 In general, the impression was that contacts with the child's parents, where appropriate, were fairly satisfactory. It was reported that some parents will accept placement at Haut de la Garenne rather than

small group homes or a foster home placement. They see the setting as more neutral and less attacking of their parental responsibilities. A growing number of children at Haut de la Garenne are experiencing five-day care, returning, regularly to their homes at the weekends. Between 10 to 15 children now fall into this category.

24.38 All children have a medical examination within 48 hours of admission and on discharge. The basic medical record card is modelled on the Home Office Children's Department medical card. A sample of records was looked at. The medical information was well recorded and provided a comprehensive picture of all ailments, however trivial, throughout the child's stay in the home. The home has its own private GP who is said to be thorough and conscientious. Miss Campbell, the Matron, deals with minor ailments although some are dealt with in the units. She obviously has confidence in the GP whom she calls when necessary. She says he is careful not to over-prescribe for children and is cautious about the use of drugs.

24.39 A look at the records to see if the medical examination required by the Boarding Out Order for children moving on to foster homes was completed indicated that a discharge medical might have been done and a record made, but no note was made that it was to comply with the Boarding Out Order. Generally some tightening up in this sector of work is required.

24.40 A sample of case records was examined. Medical information is meticulously recorded and files have a sheet showing each time a child has a visitor, or goes out. When case conferences have been held there is evidence of the staff notes and their comments, and a copy of the final write up. Because of the failure of a proper review system, however, there is no systematic reappraisal of each child's progress at stated intervals and therefore for some children who have been at the home for a long time there are periods when no activity appears to have occurred or been recorded (see paragraph 17).

24.41 We have concluded, notwithstanding the many adaptations that have been made to the building and the commitment of staff, that Haut de la Garenne remains unsuitable for the range of tasks it undertakes and is inappropriate as a resource available to a present day Children's Department. We have catalogued in our evaluation those areas where it succeeds, for instance in providing good physical care and support for schooling, but also those areas where it fails to meet fully the needs of many children, particularly those with special social and emotional needs.

24.42 In a recent unpublished paper, the Superintendent, Mr Thomson, postulates a broad categorisation of children who might successfully, or otherwise, be cared for at the Home. He suggests that the following placements are relatively unsuccessful:-

1. Children with no family ties of any description, particularly if they are on their own without brothers or sisters.

2. Children in long-term care with erratic and/or unsatisfactory family ties, and with no clear avenue towards rehabilitation with their family.

3. Seriously disturbed children who need much greater individual attention from more skilled staff.

4. Delinquent and/or disruptive children who require a more custodial and supervised environment such as is now provided by Les Chenes.

24.43 The limited period of the inspection did not allow us to test these views through a detailed analysis of the case records, but if they are correct, and experience elsewhere would support this, then some alternative provision for these groups might be considered more effective. Generally we would feel that the first two groups are best cared for in foster homes or in a small group. The second two groups require more specialised residential care and treatment. We feel that the basis of failure at Haut de la Garenne, apart from size, is the irresolvable conflict of task presented by these and other categories of child.

24.44 The Superintendent, however, feels that there are situations where Haut de la Garenne can be seen as relatively successful:-

1. Cases where there are strong family links and a clear avenue to a return to the family.

2. Where a young person, usually a teenager, has broken away from home of his own accord, often because of a poor step-mother or step-father relationship.

3. Where the stress of the home situation is so severe that the child is happier in residential care.

In these instances it would seem that the child has already built up some of his own strengths or the social situation in the family is not too complex or destructive. Our feeling is that although the Home is able to offer a receptive, neutral setting for the child, this might be more suitably provided in a less overwhelming environment.

24.45 If Haut de la Garenne is to continue to provide a range of residential services for the Island in the foreseeable future, then some urgent work must be put in hand. At the conclusion of this report we suggest a possible way forward, involving a reduction in numbers at the Home, a differentiation of role and task between groups and a redesignation of senior staff. Most urgent is an appraisal of staff training and development needs. A programme of reviews for the longer stay children should be instigated in order to clarify the reason for their continued residence.

25. Family Group Homes

25.1 Le Squez

Le Squez is a family group home located in a pleasant housing estate in St Clement the South East of St Helier and situated off the coast road so that there is easy access to the beach. The housemother in charge is Mrs Maguire.

25.2 Le Squez is converted from two 3-bedroomed council houses lying at one end of a small terrace. Modifications were made at the building stage so that there is only one staircase and therefore the maximum use has been made of space. The house parents have the use of one large sitting room and a moderate sized bedroom, both of which are very much part of the house and allow for no privacy. There is no office and the filing cabinet is kept in the hall. By combining one kitchen and a living

room the children have the use of a large all purpose sitting and dining room which is comfortably and pleasantly furnished. There is no separate play room, although a glass lean-to beyond the kitchen can be used for this purpose when the weather is suitable. It is also useful for the storage of toys. A very small room off the dining area has recently had shelving and cupboards installed to provide extra storage space. The kitchen is of reasonable size with good modern equipment. The children's bedrooms consist of two single rooms, two with [redacted] beds or bunks and one with [redacted] beds. The bedrooms are well furnished but are somewhat cramped.

25.3 At the time of the inspection there were [redacted] children in residence ranging in age from 12 months to 15 years. There is a good cross section of ages which break down as follows:-

Age in years	1	4	6	9	10	11	12	14	15
No of children	[redacted]								

of these children [redacted] are of one family, [redacted] of [redacted] families ([redacted] each) and the remaining [redacted] from separate families.

25.4 Staffing at Le Squez consists of Mr and Mrs Maguire and [redacted]. Mrs Maguire is NNEB trained and has been in charge of Le Squez for 12 months; previously she worked at Haut de la Garenne. Her husband follows his own employment but takes an active part in the life of the house in return for free board and lodging. This extends to undertaking the interior decorating. [redacted] is employed for 44 hours per week, and since the placement of a baby a second housemother [redacted], who normally splits her time between the two family group homes, is working 40 hours per week. In addition there are 9 hours of domestic help per week. Mrs Maguire speaks well of the staff and their willingness to accommodate their hours to the needs of the home.

25.5 In many ways the children at this house are experiencing as normal a family life as possible in the circumstances. There were references to some of the children having outside activities eg cubs, and brownies, and to friends visiting for meals. There are evidently close links with the children's schools. Some of the children have been in residence for a number of years and see Le Squez as providing a stable home base for their childhood. The houseparents are increasingly aware of the insecurity that can be experienced by moves and changes to the children and are anxious to avoid these. For instance, at the time of the visit, the baby was quite ill with a bronchial infection. The GP attended and spoke of the possibility of admission to hospital if she did not respond to treatment. She and her [redacted] are the youngest children in the home and were originally committed to care for neglect. Both the children and adults in the home were extremely concerned for her care and there was a ready recognition that due to the number of changes she has already had in short life (at least one other hospital admission and time at Haut de la Garenne) a further move should be avoided if at all possible.

25.6 A daily occurrence book, menu book, accounts and maintenance books are all kept. Because of the considerable autonomy that the houseparents have in their budgeting the keeping of accurate accounts is important - apart from heating, lighting and rent bills which are paid for by the Education Department, houseparents have a quarterly allowance on which to manage. This system is excellent and means that the children can experience normal family shopping expeditions as use is made of local shops. However,

it also means that the houseparents are free to determine the level of the children's pocket money, and there were references to this being kept low as most things are provided for them and some children "waste" the pocket money on cheap sweets etc. There seemed little appreciation that this is a learning process.

25.7 Individual case records for the children are extremely limited and in the main consist of a case history sheet, consent to medical treatment and in some cases birth certificates and school reports. Review forms are not completed with the houseparents' help, nor is a copy sent to the house after completion. These are both matters which require some attention.

25.8 As recently appointed houseparents we feel that Mr and Mrs Maguire should be receiving help and support in understanding the needs and sensitivities of children who have to be separated from their families.

25.9 Clos des Sables

Clos des Sables is located within a pleasant housing estate in St Brelade, which is at the Western end of the Island about six miles distant from St Helier. The Children's Home has been adapted from two semi-detached council houses and can provide accommodation for the houseparents and up to eight children. The home is well integrated into the estate and access to shops and other facilities is easy. The local Secondary school is on the opposite side of the road to the family group home. The houseparents are Mr and Mrs Hughes.

25.10 The accommodation at the home is extremely limited. Downstairs a dining room and a sitting room have been converted from the two sun-lounges of the original council houses. Service areas at each end of the building are used for kitchen and laundry respectively. None of the bedrooms is over-generous in size and it was therefore decided to convert the garage into a private sitting room for Mr and Mrs Hughes. The house also has little garden in front or behind it, although there is a recreation ground close by. The children's bedrooms, although shared, are very individualised and the home is well decorated, furnished and equipped. Mrs Hughes is very enthusiastic about cooking and domestic crafts, and Mr Hughes is a keen handyman.

25.11 At the time of the inspection there were [redacted] children in residence, with a [redacted] child (12 years old) expected at the end of April 1981. Most of the children were teenagers. All are girls except the 15 year old boy. The newcomer will be a boy.

Age in years	7	8	9	10	11	12	13	14	15	16
No of children	[redacted]									

25.12 Mr and Mrs Hughes, have run the home since 1964. They are assisted by a full-time housemother, [redacted], who lives on the estate. Previous to this they were foster parents for the Department. The Hughes, who are in their early fifties, have [redacted] grown up children, [redacted]. The [redacted] is married and lives on another part of the estate. [redacted] is employed as the home's domestic and undertakes eight hours work per week. The Hughes' [redacted] who is [redacted], continues to live at the family group home. Mr Hughes is a part-time housefather and is usually employed in the boat industry on a contract basis.

25.13 Mr and Mrs Hughes have seen [redacted] "families" through their hands since becoming houseparents. They report being in touch with all of their past charges in one way or another.

25.14 The houseparents seem to enjoy excellent working relationships with the local schools and keenly support their children in extramural activities. The children seem to be exceptionally well integrated into the local neighbourhood and lead active social lives. School friends are invited home and there appears to be an easy and well balanced attitude to the many comings and goings. A lifestyle which is as "normal" as possible is striven for; this goal is aided by the relative smallness of the group, the length of stay of the children and the stability of the houseparents. The present group of children have been with the Hughes during the past two years.

25.15 Mr and Mrs Hughes also maintain good relationships with the child care officers. The children are referred for placement and selection is negotiated between Mr Skinner and Mr and Mrs Hughes. The children have nearly all been resident in other residential establishments, either Haut de la Garenne or Brig-y-don, before being placed at Clos des Sables. The children present few major problems of behaviour or emotional disturbance, but are considered to be vulnerable and in need of a sympatheti and secure home base. In some instances natural parents would have objected to fostering and therefore "group fostering" has been considered as a reasonable alternative. At Clos des Sables the children experience many opportunities for having a "normal" childhood and young adulthood in a warm and supportive extended "family".

25.16 Whilst they receive support and co-operation from the child care officer, the houseparents report infrequent contact with the Children's Officer. A policy of the unit autonomy seems to have been deliberately adopted; one very positive aspect to this being the financial arrangements. The houseparents are given a sum of money each quarter and this is for all aspects of the housekeeping. The housemother is expected to spend this at her discretion, shopping as wisely as possible. Expenditure on individual items is not audited. The system is welcomed by the staff as it means that buying can be as flexible and economical as possible. In other aspects, however, the houseparents seem less well supported and one would have looked for more frequent contact with senior staff. The family group houseparents are invited to the annual social event for fosterparents, but we do not think this adequately conveys their special status or the important role that they play in the Section's work.

25.17 Conclusions

The two Family Group Homes appear to be offering a very good level of nurturing care and attention to the children. Although apparently staffed to a minimum, the degree of commitment of the adults to their responsibilities, their interests and enthusiasms are providing excellent opportunities for the children to thrive. In particular the degree to which the children are able to integrate into their localities and lead as "normal" a home life as possible is to be commended.

25.18 We feel that the homes should be integrated more closely into the structure of the Children's Section and receive more support from senior staff. This would not stifle the autonomy they enjoy, but would bring an increased level of involvement. We were impressed by the level of responsibility carried by the houseparents and feel that this has contributed to the generally satisfactory level of security experienced by the children in this comparatively artificial setting.

25.19 We have considered whether a third family group home should be proposed, given the success of the present ventures. We have argued against this proposal, considering that many of the more stable children could be directed to enhanced fostering opportunities and that the more unstable children would be better cared for in a slightly larger residential group with the benefits of improved staffing.

26. Residential Care provided by the Voluntary Sector

26.1 La Preference Voluntary Home

La Preference is a voluntary children's home situated in St Martin, to the north east of St Helier. It has accommodation for twenty children of all ages from 0 to 20 plus. At the end of March there were sixteen children in residence. Children are admitted up to the age of 17 years. They are expected to stay at the home for a considerable length of time, and currently two have resided there for ten and twelve years respectively. Six of them are over sixteen years of age.

26.2 La Preference was founded some 28 years ago by Mrs Walden, the grandmother of the present Superintendent Mrs Lagadu. Mrs Lagadu runs the home with her husband and they have been in post for 10 years, following 3 years with the previous Heads. La Preference is a registered charity and is managed by the Vegetarian Society based in England. There is a local executive committee and the Children's Officer is a member. It is a condition of admission to the home that the children will accept the vegetarian diet. Apparently there is no problem about this. Currently the fees for La Preference are £36 per week and all the children are admitted from the Children's Section. Considerable fund raising activity is undertaken on behalf of the home by various voluntary bodies, eg Lions, Rotary. The home needs to raise at least £12,000 per year from fund raising, and together with subscription income this is more than adequate to balance the books.

26.3 The children's home is converted from a large family house to which various adaptations have been made. Through generous donations the ground floor has been extended to the front to provide a playroom facility on one side of the front door and an extended dining room on the other. A major project to build a separate wing providing five units of bedsitter accomodation for adolescent girls is just completed. There are two double bedsitting rooms and one single. The young people have their own entrance to the accommodation and do not need to pass through the main house. At the time of the visit 5 of the older girls had just moved into the unit with a consequent re-organisation of the bedroom accommodation in the main house. This was still in process with the result that some rooms looked rather bare. The plan is that the girls and Mr & Mrs Lagadu's rooms shall be on the first floor, and the boys have the use of the top floor. There was a sensitive recognition that this meant that some youngsters would have to move from rooms they had always occupied even though thereby they were getting more space or even a single room.

26.4 The staffing of this home consists of Mr and Mrs Lagadu, who are fully resident, and two full-time housemothers, who live locally. There are also three domestic ladies who help with the general chores and also act as assistant housemothers. Some of the older girls also return to help in the household. The atmosphere at the home is certainly one of a large, but happy and sometimes chaotic family. Mr Lagadu insists that discipline is firm and although some incidents of misbehaviour were reported, the

general impression is that the children find the atmosphere a settling one and receive a caring experience. There was evidence at the time of the visit of an easy interaction between the staff and the children of all ages. Considerable strain must however fall on Mr and Mrs Lagadu at weekends and at times when they are alone.

26.5 Mrs Lagadu speaks well of links with the Children's Section and gave ready recognition that the children's officer and most of the child care officers are approachable and concerned about the life of the home as well as about individual children. There is however no formal review system and children tend to stay at the home a very long time. On the other hand it is part of the philosophy of the establishment that youngsters make this their home and can feel that they have permanent roots here, and this is certainly practised at a very fundamental level.

26.6 There is some concern at the recent change of policy of the Education Committee in considering vacancies in the States Children's homes before voluntary sector provision can be considered for individual placements. Mrs Lagadu expressed the view that if this continued then they would seriously have to consider changing their function and purpose to meet other needs. There is evidence of a strong element of service to the community in this approach as well as the need to run a financially viable unit.

26.7 Brig-y-don Voluntary Children's Home

Brig-y-don is a voluntary children's home a mile or so along the coast road to the east of St Helier. The home was formerly a convalescent home for sick children and a nursery, and it still continues to specialise in the younger child and toddler age group. The Superintendent, Miss Holley, has been in post for the last seven years. She is nursery nurse trained and Brig-y-don is a recognised training nursery for the local NNEB course.

26.8 The home has accommodation for 16 children between the ages of 0 and 15 years. However, at the time of the visit the eldest child was 9, and Miss Holley admitted that the facilities and regime are more suitable for the younger child up to the middle primary period.

The breakdown in ages was:-

Age in years	9	8	7	6	4	2	1
No	1	2 (twins)	1	1	2	1	1

26.9 Two further admissions were being considered both of which would be private arrangements. One was to allow the parents to have a holiday and the other the 3 month baby of an unmarried girl. Miss Holley is alert to the possible dangers of the latter situation and was in touch with the girl's mother. The policy of the home, on the residential side, is to provide care for as short as period as possible and to a great extent this is closely adhered to. However some children do become longer-term placements. One purpose is to provide accommodation during hospitalisation or confinement of the mother. The lack of short-stay foster homes in Jersey means that Brig-y-don therefore has in the past played a very important role.

26.10 The philosophy of the establishment is very much that of a nursery, but the children are encouraged to take part in the running of the house - helping with the washing up and cleaning shoes etc. Furniture in the dining room is all adult sized and there is normal sitting room furniture in the "quiet" room, so that as far as possible children experience normal living conditions. Each has his own toy box in his bedroom and clothes in the wardrobe. The whole house is extremely comfortably furnished but with a tendency to be rather tidy. However there were toys lying about in the children's bedrooms. There is also a large play room with big play equipment at the far end of the house and the children are obviously used to being in this room and using material of their choice.

26.11 The house at Brig-y-don is very suitable for the work it is doing having been sensibly adapted from a large private house. There is a very sizeable garden at the rear and the end of the garden is immediately on the seashore. In the garden is a summerhouse for the storage of prams and play equipment. Miss Holley mentioned that relationships with neighbours are reasonable but not close. Brig-y-don is situated in a high class residential area and she is conscious that the home is tolerated rather than fully accepted into the community. Staff accommodation is provided in a house across the road though some staff are non-resident.

26.12 At the time of the visit there were six qualified staff in post (5 with the NNEB certificate and one a qualified teacher) including Miss Holley. In addition there is a full time unqualified nursery assistant, and a girl who helps out on Saturdays and in holidays (this post is useful for giving experience to youngsters wishing to test "their vocation"). Between January and May there are always two students in placement. Staffing levels are therefore adequate. Night cover is of a "sleeping-in" arrangement. One serious deficiency is the lack of male influence.

26.13 Staff were giving the children a great deal of attention at the time of the visit and this appeared to be part of the normal experience. The bath-time routine was orderly but possibly rather quick with the children returning to the play room in their night clothes to have their hair dried if it had been washed, or for further play or to have a story read to them. In order that the older children shall have attention after they return from school, the babies are bathed in the late afternoon.

26.14 The children attend local schools and this has not caused problems. The eldest boy (Down's syndrome) attends Mont a l'Abbe, the Island's school for ESN pupils. The children have contact with their parents and for example two were spending the day with their mother and grandmother at the time of the visit. For children placed by the Children's Section there are links with the child care officers.

26.15 As well as the residential section at Brig-y-don, there is a daily playgroup. This occupies new purpose-built premises to the side and rear of the main house. This facility was funded by voluntary contributions. The playgroup has been in existence for the last $2\frac{1}{2}$ years. It operates on each of the five week days. The capacity is 25 (including residents) at each session. There are two members of staff, the playgroup leader and her assistant. The present leader has moved from the residential staff. Referrals to the playgroup are not through the Children's Section but are direct referrals by members of the public in the locality. The charge is £1 plus lunch for the morning session and 90p for the afternoon session.

This facility provides an extra dimension to the work of Brig-y-don and for example one child who had been resident for most of her life had been able to return to her single mother's care because she could continue at the day unit.

26.16 Brig-y-don is managed by an ad hoc committee. It meets monthly, and is chaired by a local Minister, the Rev Peter Manton. The Children's Officer and the Medical Officer of Health are members. The Committee takes a close interest in the home and receives reports about individual children. Admissions to the home come either privately or from the child care officers. The current fees are £49 per week in the case of Children's Section placements. There is no set charge for private cases and payment is assessed on income.

26.17 Concern was expressed by Miss Holley at the change in policy of the Education Department whereby the States children's homes must be considered before an approach is made to the voluntary sector when a placement is needed. Both Miss Holley and the committee appreciate that this could greatly effect their function in the future and their financial viability. From the professional standpoint of good child care practice she was rightly concerned that this may mean that in future children who have previously had spells at Brig-y-don will no longer be allowed to return there when care is next needed.

26.18 Comment

La Preference and Brig-y-don play a major part in providing a wide range of residential services for children in care. Although it is outside the terms of our brief to inspect these homes it seems to us that the voluntary Children's Homes offer a good caring environment. We therefore feel that in future this should be recognised when planning Children's services on the Island as they could play a fuller and more established part. In recognition of their contribution to the range of provision it might be necessary to define the nature of the relationship and come to some joint agreement about optimum occupancy levels.

27. Hostels for Older Adolescents

27.1 The provision of some form of accommodation, is an important aspect of the range of services for older adolescents needing care and support in Jersey. As has been noted earlier in this report it is the policy of the Children's Section to conscientiously remain committed to the care of a young person until the age of 20 as promised by the Law. Children who have spent a life time in institutional care also need forms of on-going support which attempt to strengthen their vulnerable situations. Another important matter is the general lack of accommodation on the Island, especially for single young people; when it is available it tends to be expensive.

27.2 Currently the problem of finding suitable accommodation, with or without support, for the older adolescent in care is being tackled in a variety of ways. A number of children are able to return to their own homes when they leave care, but often difficulties arise where alternative accommodation is needed in order to resolve family problems between the parents and their adolescent children. Primarily, the child care officers attempt to meet the problem by helping the child find suitable lodgings or inexpensive flats or bedsitters. On the whole this policy is suitable for those young people who have some degree of independence and can function adequately. However not all young people can be accommodated in this way and it has been found necessary to provide some hostel accommodation for

adolescent boys and girls who are either at risk or who are too immature to cope on their own. Those who have been school children at Haut de la Garenne tend to remain there when they start work. This policy is not the most satisfactory, but one which has evolved from two pressures, firstly, the need for some children to have continuity of care which they are able to accept, and secondly, the difficulties that have been encountered by the Haut de la Garenne staff in placing children, who may have behaviour problems, at the two voluntary hostels.

27.3 Alternative accommodation is also provided for adolescents through the medium of the units administered by the Jersey Association of Youth and Friendship. At the present time the Association runs hostels for boys and girls and a bedsitter unit for girls. A further bedsitter unit for girls is planned. In 1965 the Association opened a girls hostel at St Marks Road, St Helier; this operated until a second property, Camelot, St Saviour's Road, St Helier, was purchased in 1970. Camelot can provide accommodation for 11 girls. The house is extremely well appointed and the girls live in a very high standard accommodation. Most of the girls share bedrooms and there is much evidence that they use these extensively as private domains. Admission to the hostel is either from the Children's Section, Department of Psychiatry or by private application. In the latter case, if the young people are under the age of 16, the Children's Section is automatically informed. The girls can stay at the hostel until they are 21 years old, but it is more usual for them to leave at around 18 or 19.

27.4 The hostel is managed by a very active committee, chaired by Mrs Gulliver who is a psychaitric social work at the General Hospital. The warden is Mrs MacFarlane and she has been in post for the last 4 years. Mrs MacFarland lives at the hostel with her husband and is supported by an assistant warden, Mrs Neighbour and a domestic.

27.5 At the time of the inspection there were 8 girls living at the hostel and their ages ranged from 15 to 19 years, though most were 17. The average stay was between 6 to 12 months. All except one were in employment, mainly in clerical, hairdressing or shop work. One was still at school. Most of the girls in the current group were self-referrals and came to the hostel because of difficulties at home with their parents. The hostel will not accept girls who have been on probation and it is highly unlikely that they will accept any girls where there is a known or likely history of misbehaviour or management problems. Mrs Chappell, of the Children's Section, was at some pains to indicate that the hostel was as co-operative as possible.

27.6 Girls are selected initially by Mrs MacFarlane, but she will then check their background and see whether they are known by the Children's Section, school or hospital. Parents are always contacted if it is a self-referral. The girls seem to lead a fairly ordered and creative life at the hostel. Mrs MacFarlane runs the hostel firmly, but with a lot of understanding about the young people. However, many decisions even of a trivial nature are referred back to the management committee.

27.7 The original house in St Mark's Road, now renamed Avalon, has been converted into bedsitters for 7 young women. There are two double rooms and two single rooms with a 7th room available if required. The unit is supervised by a caretaking couple, Mr and Mrs St Leger. A 3rd bedsitter unit, Lyndale, is planned to provide another 6 places. A demand for accommodation for single girls is being creatively met by the JAYF, but

it must be noted that little of this is available for the more difficult and emotionally disturbed girl in care. At the present time the only emergency accommodation is provided at Elizabeth House, a unit for unsupported mothers, which is not suitable for everybody.

27.8 The Jersey Association for Youth and Friendship also runs a boys hostel, Basil Lodge, in St Helier. The warden in charge of this unit is Mrs Towers who has been in post for 8 years; she is assisted by Mrs Toshack who has joined in the last few months. All staff are resident at the hostel, but their accommodation is very limited. The hostel is a converted house and offers spacious, but perhaps more spartan, accommodation for 14 young men.

27.9 At the time of the visit there were 9 in residence. Their ages ranged from 15 years to 26 years. Mrs Towers prefers the boys to transfer to the hostel during their last term at school, but this is not always possible. Over the last few years the majority of the young men have been 18 and 19, and currently this is the average age. The 26 years old man has lived at the hostel for nearly 5 years now and this is his home. All the young people except one are in employment, mostly in manual or semi-skilled occupations. In comparison with the girls, more of the young men have experienced other forms of residential or foster care. The hostel is prepared to accept those who are on supervision orders from the Probation Department. Even so the policy seems to be one of not accepting any with very marked histories of delinquency.

27.10 It was reported that demand for the accommodation was rising, after a period when there had been some fears about its viability. Child care officers had previously expressed concern about the selectivity of the admission policy. Short term admissions are now being considered. The atmosphere at the hostel is typical of many of its ilk.

27.11 Comment

Given that a number of the older adolescents in care are suitably accommodated at La Preference Voluntary Children's Home, the Island seems to have adequate provision for this age group except for meeting the accommodation needs of the more difficult adolescent boy or girl. The Principal of Les Chenes Residential School feels that Basil Lodge is not able to cope with his potentially delinquent children following their period of treatment. We feel that a case could be made for the provision of another residential unit for working children and this could be established either by the States or through the services of a voluntary agency. In our opinion this should not be a hostel but should be a specially designed unit offering bedsitter type accommodation, with a higher staff support ratio. The age range for the unit might be from 16 to 20 years with a maximum of 2 years residence. Some of the bedsitter units may be multiple, but there should not be communal living of a type which tends to reinforce the young people's previous institutional and highly dependent experience. The unit may need to provide accommodation for 6 to 8 young people. Whilst we appreciate that this suggestion may appear to differentiate between groups of children because of their behaviour and background, the needs of the more disturbed young person must be met.

STAFF DEVELOPMENT

28.1 There is a great concern in the Section about opportunities for further training and for staff development. We share this concern and feel that the matter should be addressed by the committee with some urgency.

28.2 The appropriate body to advise the Section on all aspects of training and staff development is the Central Training Council for Education and Training in Social Work. However, we feel that we should comment about some aspects of staff development which arise directly from our inspectorial work. A number of factors, geographic, financial and in the cases of some officers, domestic, conspire to make any substantial commitment to training or career development an enormous difficulty. Although all of the nine current professional field staff hold a basic social studies qualification, and five hold the CQSW or its child care equivalent, there is a need for continual updating and enhancing of this knowledge base. The problem is obviously compounded by the relative isolation of Jersey, a fact which has both geographic and professional components. Since the reorganisation in 1971 of the personal social services in the UK the former Central Training Council in Child Care which was responsible for both full-time and short courses in child care has been dismantled. Much of the work has either ceased to exist or been re-assembled in such a way that it does not easily accommodate Jersey's training needs. Although specialisation is a flourishing trend within the UK Social Services scene, the development of large, complex departments has meant that much of this specialist knowledge is provided on an in-house basis, predominantly on a day-release, non-residential model.

28.3 The other dimension in this issue is one common to isolated agencies. That is the problem of limited cross-fertilisation of ideas and approaches. One can see how, over time, a degree of under-stimulation could be experienced, perhaps imperceptively at first. At the simplest level the fact that child care staff deal with the same relatively small group of colleagues, both within and outside their agency, can have some limiting aspects, even given the undoubted strengths accruing from close, accessible and often very informal communication networks.

28.4 It is clear that the solution to this problem is not easy, but we suggest that the following are training and staff development areas requiring fairly urgent consideration. They are not in any priority. (The term 'workshop' has been used to indicate a model of training with a high level of participant involvement and an essentially practical approach to the subject area.)

i. Management training for Senior Child Care Officers and/or experienced Child Care Officers.

ii. A workshop on case planning, assessment and review for all professional staff.

iii. A supervision workshop for senior professional staff, both field and residential.

iv. A workshop on community services for the under-fives.

v. Training programmes for houseparents. These might be concerned with social skill training for adolescents, practical aspects of small group-work and growth in understanding the consequences of family separation and reception into care.

vi. A workshop for child care officers (with Probation Officers) on the use of small groups as a tool of supervision.

vii. A workshop on aspects of education welfare and the role and function of education welfare officers.

viii. A continuation of the programme of seminars on child abuse arranged on a multi-disciplinary basis.

ix. A workshop on a family placement scheme with particular reference to the hard-to-place child.

28.5 During the inspection the problem of recruitment, both from Jersey and from the mainland, has been the subject of discussion. Whilst appreciating the current policy of the States, particularly at a time of possibly rising unemployment on the island, it is difficult to see how one might break into the sense of growing isolation if some mainland recruitment is not possible. The Children's Officer has proposed a trainee scheme and we feel that we would want to support this initiative. It might also be sensible to investigate whether more senior and long serving officers could be seconded to mainland authorities or sent to training agencies on post-graduate courses, many of which are now designed for various specialisms. Even a period of three months may prove extremely refreshing to an officer's professional development.

28.6 The question of how one might move forward on the training front was discussed with the Children's Officer. What emerged from the discussion was support for the idea of importing, on an ad hoc basis, some training capacity. This might be achieved by forging links, either at a personal or Departmental level, with a mainland training agency. This agency should preferably be one which could provide expertise at all levels and across the range of common social work methods. Some form of limited period contractual arrangement might be the best way of initially moving ahead.

29. Suggestions for Improving practice

The following conclusions and recommendations support present practice where this has been seen as good and effective, and suggest areas where improvement is required, both in the short and longer term.

To incorporate some, or all, of the recommendations some restructuring of the Section will be necessary in both the field and residential sectors. Discussion papers on possible restructuring options are given at Annexes A and B.

General Policy

1. The Children's sub-committee of the Education Committee may benefit from a restatement of role. It has a clear function as a case-committee, but there is less certainty about its executive functioning. (Para 3.2.)

2. Much more policy in the Section needs to be expressed in the form of written documents or procedural guidance. (Para 6.1.)

3. As well as statements of priority arising from legislative commitments, the Section needs a statement of strategy. Such a statement should attempt to articulate the philosophy and policies concerning the balance between different approaches to social problems, and about methods of work. (Para 6.1.)

4. The nature of the relationships with the Voluntary Sector, in all its aspects, needs to be further clarified. (Para 6.1, 26.18 and 27.11.)

5. As a matter of policy the Committee might consider ways and means of reducing the number of children in long term residential care. (Para 10.2 et seq; 18.4; 19.13; 24.3 et seq.)

6. We recommend that the Section examine the criteria for reception into care. (Para 24.7.)

Premises

7. In an ideal situation, the Children's Section should be located in a more central position in St Helier. The current location has the effect of dampening personal referrals and is not in tune with recent trends in siting social work agencies. (Para 7.1.)

8. The present accommodation has certain advantages for the Section and the standards of work will be best maintained by the current arrangements. (Para 7.2.)

Workload

9. Child care officers in the field work teams should continue to carry workloads which give them experience of the entire range of work. (Para 9.1.)

10. The two team system works well and a geographical patch system would not seem to be appropriate. Any new structure should continue with this basic arrangement. (Para 9.2.)

11. On the basis of the current demand and workload, it is recommended that the establishment of the Section is increased by one field work post. (Para 11.14.)

12. The established post of child care officer held vacant pending the Inspection should be filled forthwith. (Para 11.14.)

13. The arrangements for dealing with referrals during the day and out of office hours are satisfactory. (Para 12.1; 12.2; 12.3.)

14. The current informal method of case allocation appears to work in practice and no changes are recommended whilst the current Section structure is retained. (Para 12.4.)

15. It is recommended that the current spreading of Court officer duties between the qualified child care officers continues. (Para 23.3.)

Staff Roles

16. Some redefining of the role of the senior child care officers is required.

17. Some redefinition of the role and function of child care assistants is required. In particular policy decisions have to be made concerning the level of work, and whether child care assistants are viewed as 'unqualified' child care officers or as auxiliaries. (para 11.14; 21.16; 22.10.)

18. It is important that the clerical and administrative staff remain an integral part of the Section, both on grounds of confidentiality and of providing close support. (Para 8.2.)

19. The arrangement for some administrative staff to act as team clerks should be continued. (Para 8.1; 8.2.)

20. It is recommended that criteria are formulated that identify cases requiring the attention of a professionally trained and experienced child care officer. (Para 11.12.)

21. Senior child care officers may be expected to carry limited caseloads of more complex cases. (Para 11.13.)

22. Child care assistants when acting as social work auxiliaries should not carry any cases meeting the criteria at 17 above. (Para 11.14.)

23. Child care assistants when acting as unqualified, but experienced, social workers should only carry statutory or 'At Risk' cases when working under the close supervision of a senior child care officer. (Para 11.13.)

24. Some thought should be given to increasing the security of records. (Paras 7.3; 16.6.)

25. Records and registers are maintained adequately by the administrative staff. Some rationalisation is required, particularly in respect of the present confused state of the 'At Risk' register. (Para 8.6; 20.6; 20.14.)

26. Standards of recording and record keeping in the Section were generally high. Records were easily read, tidily kept and well typed. (Para 16.4.)

27. It is recommended that professional staff should be encouraged to adopt the habit of summarising their work at given intervals. (Para 16.5.)

28. Child care officers should always ensure that the circumstances of the contact with a client or source of information are recorded. (Para 16.5; 18.12.)

Monitoring and Case Reviews

29. At the present time caseloads are looked at six monthly. Present practice does not seem to offer an effective way of monitoring the workload or an individual child care officers performance. It is recommended that these matters must become part of a systematic case review process. (paras 13, 14 and 17.)

30. Whilst established practice continues, senior child care officers should take a more dominant role in proceedings. They should, as a matter of course, re-assess the case independently and record the conclusions of the case discussion. (Para 14.5.)

31. Currently all supervision of caseworkers is carried out by informal methods. Although this appeared to work within reason, it is considered that there are weaknesses in this arrangement and that too great an onus is placed on the child care officer to seek supervision. (Paras 14.1; 14.2.)

32. Casework supervision should provide a regular opportunity for both caseworker and supervisor to explore matters such as personal and professional development, an assessment of strengths and weaknesses, and training needs, as well as the issues of the case in hand. (Para 14.2.)

33. Senior staff should initial case records when they have read them. (Para 14.3.)

34. It is recommended that each caseworker maintains a register of cases, indicating when visits have been made. This would be an additional aid to workload management. (Para 14.4.)

35. The present system of senior child care officers deciding on case closure should be continued. (Para 15.1.)

36. The lack of a satisfactory review process is a serious matter and demands urgent appraisal. Consideration should be given to the format and content of the process, the personnel involved, the way in which decisions are put into effect, the monitoring of these and the provision of an efficient reminder system. An urgent redesign of the Review Form is required; it is satisfactory as a means of reporting to the Children's sub-committee. (Paras 17.3; 17.5; 17.8.)

37. Consideration might be given to the introduction of legislation which imposes a duty on the Committee to review the progress of all children in care at stated intervals. (Para 5.2; 17.2.)

38. Statutory Reviews are required for children boarded-out by the Committee. An appropriately designed Review form for Boarded Out children should be introduced. (Para 18.16.)

Fostering

39. It is considered that fostering in Jersey operates at a low level and current experience gives no cause for complacency. (Para 18.1; 18.3.)

40. A policy which sees the development of fostering as a primary method of substitute care for children should be articulated. (Para 18.3.)

41. A policy of providing more short term foster care should be adopted. This should reduce the present reliance on residential placements, especially for younger children. (Para 18.5.)

42. A more vigorous and varied approach to foster parent recruitment is required. This approach might concentrate on seeking placement for specific individual children where long term care is indicated. (Para 18.6 et seq.)

43. Good practice requires that more attention should be given to the assessment and consequent preparation of foster parents. These are tasks for the child care officers, working under the close direction of senior staff. (Para 18.9.)

44. A programme of support and training for foster parents should be considered. (Para 18.10.)

45. The inspection indicated that provisions of the Boarding Out Order were not always being followed or used to monitor casework. It is recommended that senior staff re-appraise this work and draw up appropriate procedures. In particular the medical needs of foster children require special attention. (Para 18.11 et seq.)

46. The scale of fostering allowances appears reasonable. It is recommended that the feasibility of paying higher rates in order to attract more foster parents should be explored. (Para 18.21.)

47. More careful planning and detailed work has to be completed on the proposed Professional Fostering scheme before it can be considered viable. (Para 18.23.)

48. It is recommended that a post at child care officer level be nominated as fostering officer, with a brief to develop the professional fostering scheme in particular and programmes of foster care in general. (Para 18.23.)

49. The work of the Section in respect of Private Fostering seems satisfactory. (Para 18.24 et seq.)

Adoption

50. The re-opening of the waiting list of prospective adopters provides an opportunity to re-appraise the agency work. (Para 19.3.)

51. Consideration should be given to the methods by which decisions are made and whether a group approach should be applied to the acceptance of applicants and the placement of children. (Para 19.9; 19.13.)

52. The reciprocal arrangements with Guernsey are helpful but often the arrangements for introducing child and prospective adopters to each other are not ideal. (Paras 19.6; 19.13.)

53. As part of its agency function the section should be considering with some urgency the position of hard to place children and whether adoptive homes should be sought for those who have spent long periods in residential care. (Para 19.13.)

Child Abuse

54. It is recommended that, allowing for the Jersey context, the present Case Conference Committee should continue, and that it should review all cases on the register at regular stated intervals. (Para 20.10; 20.15.)

55. The senior staff of all agencies should meet to consider policy and to facilitate greater co-ordination of services, monitor the incidence of abuse, and consider the training needs of workers. (Para 20.17.)

56. The contribution of the Nursing Service to child abuse conferences should be extended. (Para 20.9.)

57. It is recommended that a new 'At Risk' register should be introduced solely for children at risk of abuse. Access should only be by designated senior staff in all agencies and in the interests of confidentiality the present arrangement of enquiries being dealt with by a call-back system continued. This should be held and maintained by the Children's Section. It should contain basic information and provide an indication of the agency undertaking the prime work. It should also provide a reminder system for review purposes. (Para 20.6; 20.14/15.)

58. Names for inclusion on the 'At Risk' register should be decided by Case Conference on agreed criteria. Similarly removal of names should be governed by explicit criteria. (Para 20.6; 20.14.)

59. Written procedures on Child Abuse are required and should be circulated to all professional groups and statutory services involved. A modified edition of the procedures could be prepared for relevant non-professional groups. (Para 20.13.)

Day Care for the under-5s

60. Some written information and advice for the use of child minders is required. (Para 21.3.)

61. In determining the ratio of staff to children in all forms of group care guidance should prescribe that there be a minimum of two members of staff.

62. It is recommended that registration duties for both child minders and Day Nurseries should be set at the level of child care officer. (Para 21.16.)

63. It is recommended that the Committee, through the Children's Section, should consider the promotion of more day care ventures as part of a full preventive service. This might include providing group support to child minders and developing community-based facilities to prevent children being taken into care. (Para 21.15.)

School Attendance

64. The Section satisfactorily carries out its duties in respect of school attendance and education welfare generally. (Para 22.)

65. More prominence could be given to the welfare aspects of the work and it is recommended that this is achieved by sharing the workload between two child care assistants. (Para 22.10.)

66. These posts might redesignated Education Welfare Officer. Relevant staff development and training would be required. (Para 22.10.)

67. A scheme for school liaison might be re-appraised in the light of the previous recommendation. (Para 22.10.)

68. The child care assistants involved with school attendance work and education welfare should be integrated into the team structure and not remain organisationally isolated. (Para 22.9; 9.3.)

Juvenile Delinquency

69. The Juveniles and Delinquency Co-Ordinating Committee established by the States appears to work well and is commended as good practice. (Para 23.3.)

70. It is recommended that the decision to re-appraise the function of the juveniles 'at risk' register be supported. (Para 23.4.)

71. It is not recommended that, at the present time a separate scheme of Intermediate Treatment be inaugurated. However the Children's Section might consider how resources could be released to improve individual supervision of young offenders and develop some work with small groups of young people. (Para 23.5.)

72. Les Chenes residential school is providing a unique experience for its children, based on what appears to be a high quality of specialised education and a very warm and committed approach to the children by the adults. We see an enhanced role for Les Chenes in future years, working with many more difficult children, especially those who are in care but not necessarily defined as delinquent in the narrow sense. (Para 23.14.)

Residential Provision

73. The two Family Group Homes appear to be offering a very good level of nurturing care and attention to the children. The degree to which the children are able to integrate into their localities and lead as 'normal' a home life as possible is to be commended. (Para 25.17.)

74. We recommend that the homes should be integrated more closely into the structure of the Children's Section and receive more support from senior staff. (Para 25.18.)

75. We were impressed by the level of responsibility of the house-parents, but feel that there is a need for staff development programmes. (Para 25 et seq.)

76. Up until the present time Voluntary children's homes and hostels have been providing good quality residential care. This factor should be recognised when planning services in the future. (Para 26.18.)

77. We consider that there is adequate hostel provision for the older adolescent, except for meeting the accommodation needs of the more difficult young person. Consideration needs to be given to this problem in collaboration with the Jersey Association of Youth and Friendship. (Para 27.11.)

Haut de la Garenne

78. We wish to commend the attempts which have been made over past years to adapt the premises for modern use. These show imagination and an awareness of the problems. We also commend the commitment of the residential staff to individual children given the less than satisfactory care setting. (Paras 24.11 and 24.17 et seq.)

79. However, we strongly recommend that Haut de la Garenne be replaced by more suitable alternative forms of provision. (Para 24.40)

80. If it is decided not to pursue recommendation 79, at least in the near future, we consider that the following matters should receive attention.

81. We recommend the re-institution of a reception group. (Para 24.2; 24.8.)

82. We recommend a reduction in the size of care units within Haut de la Garenne in order to achieve an approach marked by more personal care and less routine. (Para 24.40 et seq.)

83. We suggest that there is a need to re-define the roles and functions of senior staff at Haut de la Garenne, possibly introducing the idea of section leaders. (Para 24.27.)

84. We recommend that Les Chenes might accommodate more of the disturbed older girls in care, due consideration being given to the best way of meeting their educational needs.

85. In-service training schemes for residential child care staff should equip them to assist the children to achieve improved personal and social skills. Such schemes might concentrate on social skills related to the world of work and family life, including sex education. (Para 24.22; 24.33.).

86. The resources and professional skills of the child care staff at Haut de la Garenne might be used more fully in work of observation and assessment. This would require some redefinition of role and function, and retraining. (Para 24.8.)

87. We recommend that more opportunities are created for meals to be prepared in units. (Para 24.13.)

88. We recommend the development of some play group facilities for the pre-school children. (Para 24.21.)

89. We would like to see the development of the surrounding grounds, giving more opportunities for creative play and activity. (Para 24.15.)

90. We would recommend a re-appraisal of the practice of removing babies from units during the night. (Para 24.14.)

91. We appreciate the difficulties of integrating children into the local neighbourhood, and commend the efforts of staff to achieve more of this. (Para 24.18; 24.26.)

92. The level of medical care received by the children is good and well recorded. The arrangements are satisfactory. (Para 24.37/38.)

93. We commend the development of 5-day a week care and consider that this might be extended. (Para 24.36.)

94. We recommend a more structural approach to consultancy. (Para 24.24.)

95. The standard and nature of record keeping is variable and demands attention. (Para 24.39.)

96. The current method of reviewing children at Haut de la Garenne is not satisfactory and demands re-appraisal. (Para 24.35.)

97. We recommend that, notwithstanding the recent trawl of children as possible suitable candidates for the professional fostering scheme, the progress and future planning for all long stay children at Haut de la Garenne be reviewed immediately. (Para 24.39.)

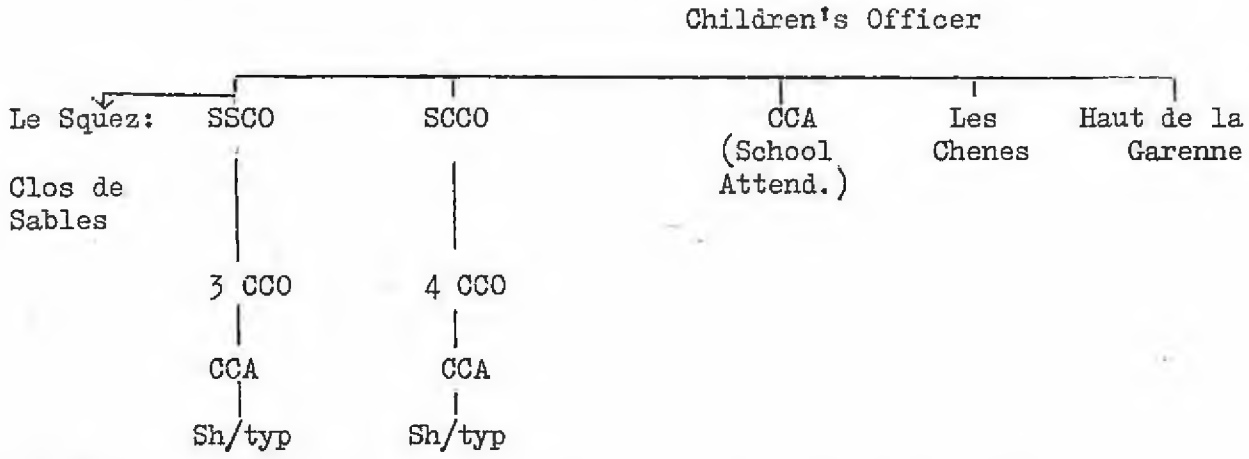
Staff Development

98. Whilst a great deal of effective communication and work is accomplished via the informal network, consideration might be given to bringing greater structure to the pattern of staff meetings. (Para 9.6.)

99. A programme of staff development and in-service training is urgently required. (Para 28 et seq; 24.33.)

SUGGESTED RESTRUCTURING OF THE SECTION

The Present structure of the Section is set out diagrammatically below:



The strengths of the current structure are considered to be:

i. Direct management of two major residential establishments by the Children's Officer

ii. Small casework teams headed by Senior Child Care Officers with good potential for direct communication and accountability

iii. Direct clerical support to child care teams.

The weaknesses of the current structure are considered to be:

i. No post clearly denoted as deputy to Children's Officer

ii. Isolated position of the child care assistant (School Attendance)

iii. No clear opportunities for specialisation in field work setting

iv. No one person with a definite brief for training and staff development.

Staff Establishment

Whilst restructuring within a limited complement of staff is always likely to involve compromise, it is possible to see the staff of the Jersey Children's Section deployed in a variety of ways which may more effectively fulfil some of the tasks identified as important by the Inspection. The following proposals suggest possible ways of deploying staff in the future. The proposals take into account the changes in establishment recommended in the Inspection report, namely the possible increase by one professional field work post and the redesignation of a child care assistant post as second Education Welfare Officer. We have also presumed that a trainee social worker post will be maintained on the establishment at the child care assistant Grade. Our proposals therefore are worked on the basis of the following establishment:

Head of Section (Children's Officer)
10 Qualified Social Workers
4 Unqualified Social Workers
4 Administrative/clerical staff

Restructuring Principles

The following principles flow from the inspectorial work and from the report's recommendations. Not all of the principles will be fully satisfied in any given restructuring but we feel that it is possible to improve on the present situation:

i. The staff of the section should be deployed in such a way that the policy of the Committee is effectively carried out. In particular the structure must be able to accommodate statutory commitments and be able to carry out the range of tasks prescribed by legislation.

ii. The Section should be deployed in such a way that the preventative and rehabilitative aspects of child care are given a prominent place.

iii. The structure should encourage good practice, perhaps through the emergence of specialisation.

iv. The structure should provide a framework for a good standard of supervision, monitoring and review of work, and clear accountability.

v. The structure should provide a framework for identifying various levels of work and provide appropriate support to postholders at different levels.

vi. Appropriate administrative and clerical support should be closely integrated with the professional work.

vii. The line of management and accountability should be clear, and appropriate deputising facilities be arranged.

viii. The residential sector should be managed as effectively as possible and be closely integrated into the work of the section.

ix. The team approach to service delivery should be sustained as providing the best form of support system to individual workers and to the general work of the Section.

x. The structure should avoid, wherever possible, isolated workers at basic grade levels.

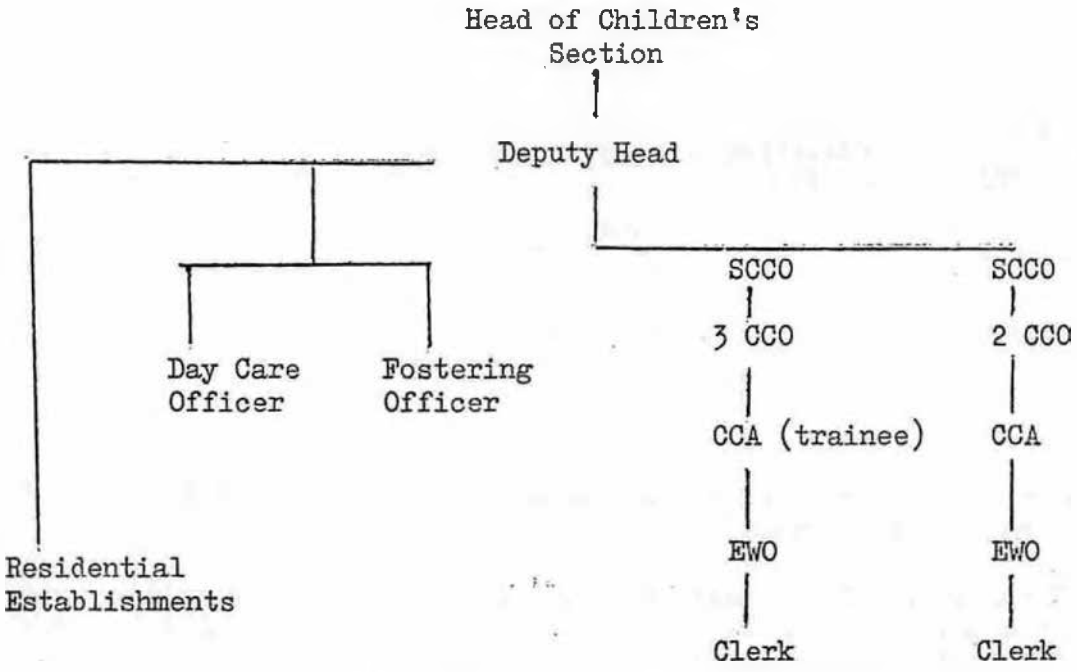
xi. The structure should encourage the development of community based services, including an enhanced fostering programme, day care facilities, and increased collaboration with the voluntary and private sector.

xii. The structure should allow for promotion, and individual growth and development of professional skills. This is not easy within a small department in an Island setting. However a way forward may be through job differentiation and the development of a 'career grade' at child care officer level.

xiii. The structure should identify a post with responsibility for training.

Two possible approaches for future restructuring are suggested below. There are, of course, alternatives.

Option 1



Notes

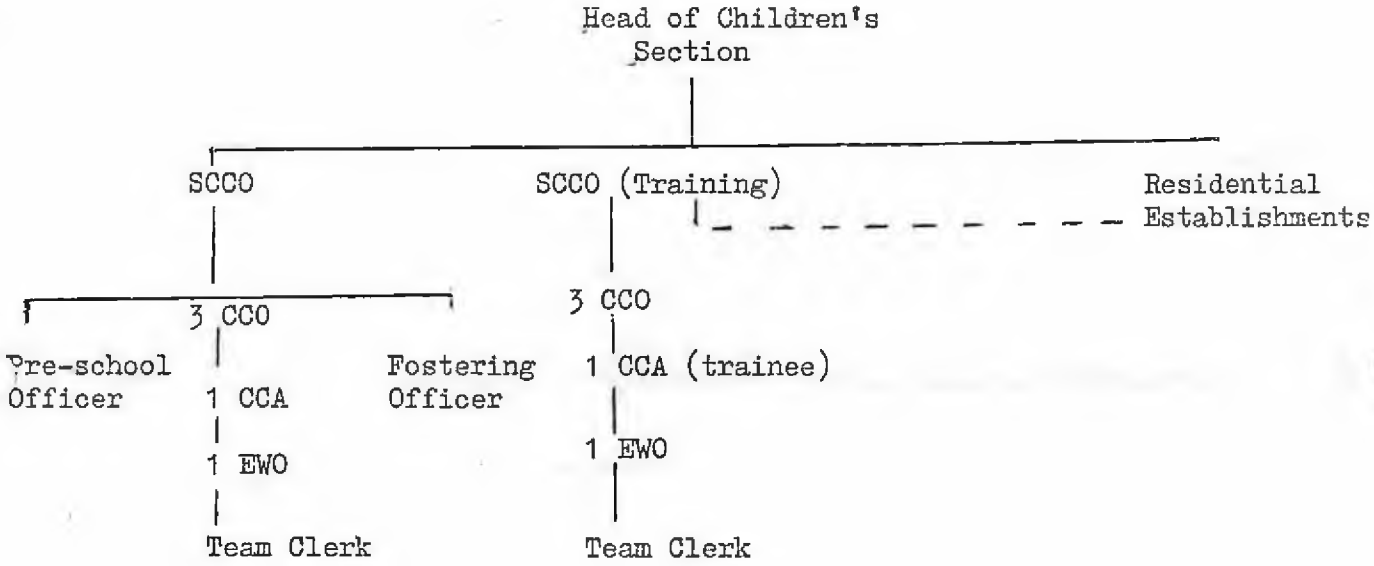
1. In this option the extra field work post is used to create the new post of Deputy Section Head. This postholder's primary task is as Training Officer and as Adviser to Residential establishments. The postholder also offers supervision to the two specialist officers.

2. The Fostering Officer is a career grade child care officer. The post is concerned with the fostering programme, professional fostering scheme, and adoption. A caseload will be carried.

3. The Day Care Officer is a career grade child care officer who is responsible for the registration and development work connected with child minders and Day nurseries. The postholder has a general development role for the whole range of day care work. Some cases may be carried.

4. The two senior child care officers head small teams of caseworkers, including an education welfare officer. This structure allows them to concentrate on achieving the highest standards of casework and caseload control. They would be expected to carry a small caseload of complex cases.

Option 2



Notes

1. In this Option the extra field work post is used to strengthen the two casework teams at basic grade level.

2. The Children's Officer takes primary management responsibility for the residential establishments, but is supported by the Senior Child Care Officer (training) in fulfilment of his staff development role.

3. The second Child Care Officer assumes oversight of the two specialist officers whose job descriptions are described in Option 1.

4. This structure does not allow for a Deputy post, but it might be assumed that the SCCO (Training) is more likely to fulfil this role.

ANNEXE B

SUGGESTED FUTURE PATTERN OF RESIDENTIAL PROVISION

The accompanying diagram (A) illustrates the current distribution of residential provision for children and young people in care or at risk on the island of Jersey. As we have commented, there is marked over-provision, stemming essentially from the continued existence of Haut de la Garenne. It is our opinion that this has been a key factor affecting both the direction of policy and the nature of care offered by the Department. Any future planning must attept to restrain this influence. Our preferred solution would be to recommend the disposal of this institution and plan a new network of day and residential resources.

For the present we feel that the first step is to articulate a set of principles for future planning. From these would flow a range of options drawing on existing and newly conceived resources. Three possible options are described in greater detail in this report, but these should not be seen as in any way definitive as much more detailed work would be required than was possible during the period of inspection.

Planning Principles

i. The number of children in residential care at any one time should be maintained at the lowest possible level.

ii. The range of services should assist the development of a preventative approach to children and families with problems.

iii. Residential resources should be closely integrated into local neighbourhoods.

iv. Residential resources should provide care in small groups in a non-institutional setting.

v. Maximum use should be made of the Voluntary Sector.

vi. Maximum use should be made of Les Chenes Residential School.

vii. Plans should attempt to free some, or all, of the resources of money, time, staff skills and talents currently committed to Haut de la Garenne. These might be re-invested in alternative forms of care, either on a residential or community basis.

Option 1

Retaining Haut de la Garenne

This option represents a plan of action which could be undertaken in the near future by the States of Jersey. The plan comprises a marked reduction in beds in use at Haut de la Garenne and a consequent increase in the use of beds in the Voluntary Sector. No new units would be established and it if not likely that any great financial saving would be achieved.

In this option Haut de la Garenne might be reduced to 30 beds, the children living in three family groups of ten. One of the three groups would be designated as a reception group. The smaller number of children in each group would allow for a higher level of personal care to be offered and less routine. Using the Castle Priory formula the establishment would require in the order of 20 full time child care staff (40 hour week including night staff). We might also suggest that the two Assistant Superintendents (the Deputy and the Matron) adopt section leader roles, one heading up the Reception group, the other being designated head of long stay care. The Superintendent would continue to co-ordinate the two sections and have as a primary task the improvement of the overall work of the establishment. We feel that this division should sharpen up the perception of different functions and the skills needed to service them.

This option will require the section to maximise its use of the Voluntary Sector. The number of both long and short stay beds will be reduced and an increase in use of Brig-y-don and La Preference will have to be negotiated and financed. If anything, unit costs at Haut de la Garenne may rise as staffing and building maintenance are not radically affected by the suggested degree of reduction. More opportunities for the older children to move on to the Voluntary hostels will also have to be explored with the agency concerned, and some understanding about more flexible admission criteria reached. Consideration might also have to be given to placing some of the children previously admitted to Haut de la Garenne at Les Chenes, with suitable assessment being made about their educational needs. Similarly, the professional foster scheme may need to make some impact.

Obviously, this is not a preferred option, as although it has the virtue of potentially improving the quality of life and care of children at Haut de la Garenne, it does not assist the development of a more preventative policy or help children live a more normal life. It merely distributes the children more rationally throughout the existing system, retaining the Voluntary agencies in a supplementary role to Haut de la Garenne.

Option 2

A Complementary System

This option represents a radical approach to providing residential services on Jersey. The plan attempts to achieve a balance of provision between the statutory and voluntary sectors with a higher than present level of joint planning and collaborative working. We feel that this plan could commend itself to Jersey with its excellent history of voluntarism.

The option is based on the closure of Haut de la Garenne. This decision would place a number of burdens on to the remaining services. The number of long stay beds available would be radically cut; this type of provision would need to be met through the two States Family Group Homes, La Preference and to some degree, Les Chenes. Short stay accommodation would principally be provided by Brigydon Voluntary Children's Home. The Voluntary hostels would also be expected to play a more flexible role.

It is clear that this dramatic reduction could not be easily accommodated in the remaining homes, both statutory and voluntary, and it would be necessary to develop other facets to the service in order to reduce the pressure of demand for residential placements. One important new factor would be the hoped-for results of the enhanced foster care programme. Another factor, we suggest, would be the need to develop an entirely new form of provision, namely a Children's Resource Centre.

The Children's Resource Centre would be placed at a key point in the range of resources. The Centre would be primarily concerned with supporting the preventative child care policy and to this end may be seen as a base for day care and other community oriented activities, eg mothers support groups, meeting place for 'latchkey kids', work with families suspected of abusing their children, resource centre and toy library for child-minders. The Centre will have a limited residential capacity, say 6 beds, for very short stay, often emergency, placements. This would replace the current useful facility provided at Haut de la Garenne. The Centre should be located in St Helier, preferably close to or within a known social problem neighbourhood. The Centre need not necessarily be managed by the States, but could satisfactorily be seen as a major voluntary enterprise with the professional involvement of the Children's Section.

The key to this option is the freeing of resources through the disposal of Haut de la Garenne, and the opportunity to re-invest these in new directions; some of this might go to paying Voluntary agencies to undertake tasks determined jointly, and provide higher staffing levels or material conditions, or be directed to instigating and capitalising new, more flexible, forms of service delivery. The proposed Children's Centre will consume capital and have revenue consequences, but this might be shared in any joint enterprise.

Option 3

Replacing Haut de la Garenne

This third option represents perhaps a more cautious move forward than Option 2. Whilst it proposes that the closure of Haut de la Garenne is a necessity, it takes a more sanguine view of the capacity of the Voluntary Sector to respond to the challenge of that decision and accommodate a wider range of children, many of whom have serious social and behavioural problems.

In the evaluation of Haut de la Garenne two major tasks were identified; firstly, the task of providing a readily accessible emergency and short stay facility; secondly, the setting for long stay care of a substantial group of children. As part of this second task there is an important element which provides a supportive setting for young people in early employment. We feel that these are three distinct elements which should be more definitely separated. We therefore suggest that Haut de la Garenne could be replaced by the following units (illustrated Diagram B).

a. Either i

A short stay home. This would be a small group home organised on family group lines, for very short stays and emergencies. Some day care facilities might also be developed, but not to the scale of the proposed Children's Resource Centre.

or ii

Children's Resource Centre. This would be the type of unit as outlined at Option 2 with the attached residential component.

b. Medium Stay Children's Home. If the current demand for residential care on a longer term basis continues, albeit reduced somewhat, then the States will still need to provide for this group of children. Hopefully the less difficult children will continue to be placed in the two family group homes at La Preference. This will leave, we feel, a group of 15 to 20 more disturbed children needing medium term (3 to 5 years) care. This could be provided in a well staffed children's home offering between 16 to 18 beds, perhaps organised into two or three small living groups. This Children's Home should be located in an urban setting.

c. Bedsitter Unit. In our opinion this unit would not be necessary if satisfactory negotiations could be conducted with JAYF in order to introduce a more flexible admission policy and possibly give financial support to improve staffing at the existing hostels. However, if this is not possible the States should seriously consider developing their own bedsitter unit for up to 6 young people.

This option redistributes resources freed by the closure of Haut de la Garenne by creating a more varied range of States provision. It might be considered that this option still over-provides in the residential sector. It increases the differentiation of role and function of each of the units, but is based on a greater level of collaboration with the Voluntary Sector than Option 1. This system would call for enhanced assessment and placement skills by the field-workers and their consultants if optimum use were to be made of the range of provision.

ANNEXE B

DIAGRAM A

States Provision

Voluntary Sector

La Preference

20

Camelot

11

+ bedsits

Clos des Sables

6

Haut de la Garenne

60
(45 active)

Les Chenes

20

Le Squez

9

Brig-y-don

16

Basil Lodge

14

DIAGRAM B

States Provision

Voluntary Sector

Clos des Sables

6

La Preference

20

Camelot

11

+ bedsits

Les Squez

9

Medium-stay
Childrens
Home

18

Les Chenes

20

Brig-y-don

16

Basil Lodge

14

Short stay

6

Childrens Centre

?

6

Bedsitter Unit

STATES OF JERSEY EDUCATION COMMITTEE

CHILDREN'S SUB-COMMITTEE

CHILDREN'S OFFICER'S REPORT

CHILDREN IN CARE AS AT 31.1.81.

	ARTICLE 82	ARTICLE 83	ARTICLES 10, 16, 28, 31 and 53	SUPERVISED ARTICLE 28 & SUPERVISED OTHER AUTHORITIES	TOTAL
HAUT DE LA GARENNE	15	6	17	-	38 (37)
FAMILY GROUP HOMES	7	2	5	-	14 (15)
FOSTER HOMES & LODGINGS	28	28	15	2	73 (73)
SUPERVISED IN OWN HOME, JERSEY	-	2	29	-	31 (31)
SUPERVISED IN OWN HOME, ENGLAND	-	-	-	-	- (1)
HOSPITALS	1	1	-	-	2 (1)
HOSTELS IN JERSEY	4	3	-	-	7 (7)
VOLUNTARY CHILDREN'S HOMES, JERSEY	20	5	2	-	27 (28)
FOSTER HOMES & HOSTELS IN GUERNSEY	-	1	-	-	1 (1)
SPECIAL BOARDING SCHOOLS U.K.	1	-	-	-	1 (-)
COMMUNITY HOMES IN U.K.	-	-	-	-	- (-)
RESIDENT IN U.K.	-	-	1	-	1 (1)
VOLUNTARY HOMES IN U.K.	1	1	-	-	2 (2)
BORSTAL	-	-	-	-	- (-)
PRISON	-	2	-	-	2 (2)
JUVENILE REMAND WING	-	-	-	-	- (-)
H.M. FORCES	1	2	-	-	3 (3)
LES CHENES	-	-	12	-	12 (13)
	78	53	81	2	214
				Less children Supervised	2
					212(213)

CHILDREN PRIVATELY PLACED

At no financial cost to the States but supervised under Article 58: 5

CLIENT REFERRALS TO JERSEY CHILDREN'S SECTION 1980

The following table has been compiled from entries in the Section Referral Book. 295 referrals were recorded in the year. Some enquiries demanded attention to more than one category of problem or service.

Referrals have been grouped generally in accordance with the brief details of the nature of the enquiry given in the book. The table does not set out to give a precise breakdown of referrals, or identify referral sources except where indicated.

	Number of recorded requests for service
General Advice	4
Single parent/unmarried mother	19
Marital Problems	14
N.A.I./at risk of neglect	33
Children's behaviour problems	18
Adolescent's behaviour problems	27
Town/Parish Hall Enquiry	26
Clients with financial Problems	12
In need of material help	2
Adoption Enquiries	14
Guardian ad Litem	7
Fostering Enquiries	13
Private Fostering enquiries	2
Child-minding enquiries or applications	48
Matrimonial Court Work/custody or access enquiries	18
Requests for Reception into care	19
Welfare Supervision requests	4
Accommodation Problems	11
Police referrals	4
Mainland Authority referrals	10
Psychiatric Clinic referrals	2
School referrals	5

DUTIES OF CHILD CARE STAFF
(IN ORDER OF PRIORITY)

Duties which must be undertaken

1. Supervision of all children in the care of the Education Committee
2. Supervision of the protected child - Adoption (Jersey) Law, 1961
3. Supervision of children in private foster placements
4. Registration and supervision of day nurseries, day-minders and voluntary homes
5. Registration and investigation of foster parents
6. Enquiries and reports for Matrimonial Courts on custody, care and control and access disputes between parents
7. Supervision of children taking part in public performances
8. Guardian Ad Litem duties in adoption applications
9. Supportive casework with families at risk of reception into care and/or non-accidental injury
10. Casework with the unsupported, unmarried mother before and after the birth of her child
11. Investigation of prospective adoptive parents and placement of children for adoption
12. Provision of background reports including school reports for children appearing before the Courts
13. Acting in Loco Parentis during the taking of statements by the police from children under the age of 17 years

Duties which may be carried out if workloads permit

14. Attendance at Parish Hall enquiries involving children
15. Social work for Educational Psychologist and Psychiatric Clinic
16. Casework with problem families:

    (a) inadequate, mentally sick, depressed, alcoholic parents who need support to ensure that children do not suffer or level of care does not fall below an acceptable minimum;

    (b) supportive work with single parent families;

    (c) advising/counselling/supporting parents with a wide range of problems which can affect development of children, e.g. matrimonial, financial and general management.

17. Work on behalf of mainland authorities including local enquiries and supervision of children placed by them in Jersey, both temporarily and permanently.

"*Children and Young Persons Act, 1933.*"

Loi appliquant à cette Ile certaines des dispositions de l'Acte de Parlement intitulé "Children and Young Persons Act, 1933" (23 Geo. 5, ch. 12), confirmé par Ordre de Sa Majesté en Conseil en date du

21 FÉVRIER, 1935.

(Enterigné le 16 Mars 1935).

Aux Etats de l'Ile de Jersey.

L'An 1935, le 22e jour de Janvier.

CONSIDERANT qu'il est expédient d'appliquer à cette Ile certaines des dispositions de l'Acte de Parlement intitulé "Children and Young Persons Act, 1933" (23, Geo. 5, ch. 12) ;

LES ETATS ont adopté la Loi suivante, moyennant la Sanction de Sa Très Excellente Majesté en Conseil.

PREMIÈRE PARTIE.

ARTICLE 1.

Il sera irréfutablement présumé que tout enfant âgé de moins de huit ans révolus est incapable d'être coupable d'un crime, délit ou infraction quelconque.

ARTICLE 2.

Une personne âgée de moins de dix-sept ans révolus ne sera pas condamnée à ~~la servitude pénale~~

ARTICLE 3.

(1) La peine de mort ne sera pas prononcée contre une personne âgée de moins de dix-huit ans révolus, mais, au lieu de prononcer telle peine, la Cour Royale condamnera telle personne à la détention pendant le bon plaisir de Sa Majesté, et toute personne ainsi condamnée sera susceptible d'être traitée à tous égards comme si elle eût été condamnée à la détention par une Cour Anglaise sous l'empire de la Section 53 (1) du dit "Children and Young Persons Act, 1933" et des amendements apportés par la suite à icelui.

(2) Les prescriptions de l'Article 25* de la Loi règlant la Procédure Criminelle, passée par les Etats l'an 1863, le 23e jour de Mars, et confirmée par Ordre de Sa Majesté en Conseil en date du 1er Mars, 1864, ne s'appliqueront pas dans le cas d'une personne âgée de moins de dix-huit ans révolus.

ARTICLE 4.

Toutes les fois qu'une personne âgée de moins de dix-sept ans révolus aura été trouvée coupable d'avoir tenté de commettre le crime de meurtre, ou d'avoir criminellement causé la mort d'une personne ou d'avoir criminellement causé à une personne des

* Voir Tome II, pages 212-13.

blessures graves, et que la Cour sera d'opinion que les autres manières dans lesquelles elle pourrait en disposer ne rencontrent pas les circonstances spéciales du cas, la Cour Royale pourra condamner la personne ainsi trouvée coupable à la détention pendant telle période que la Cour trouvera le cas mériter; et toute personne ainsi condamnée sera susceptible d'être traitée pendant la dite période à tous égards comme si elle eût été condamnée à la détention pour la dite période par une Cour Anglaise sous l'empire de la Section 53 (2) du dit "Children and Young Persons Act, 1933" et des amendements apportés par la suite à icelui.

ARTICLE 5.

L'envoi d'une personne condamnée à la détention en vertu de cette Partie de la présente Loi à l'endroit où elle devra être détenue ne sera effectué que sur l'ordre du Secrétaire d'Etat, et dans l'entretemps la dite personne sera détenue en prison ou en tel autre endroit que la Cour Royale pourra ordonner.

ARTICLE 6.

Toute personne condamnée à la détention en vertu de cette Partie de la présente Loi et relâchée sur licence par le Secrétaire d'Etat sera passible, dans le cas où sa dite licence serait révoquée par le Secrétaire d'Etat, d'être saisie de fait en cette Ile sans mandat ou "Warrant" quelconque, et d'être conduite à tel endroit qui sera déterminé par le Secrétaire d'Etat.

DEUXIEME PARTIE.

ARTICLE 7.

Toutes les fois qu'une personne qui paraitra à la Cour Royale être âgée de moins de dix-sept ans révolus aura été trouvée coupable d'un crime ou délit punissable, s'il eût été commis par une personne âgée de plus de dix-sept ans, par l'emprisonnement, la dite Cour pourra ordonner que la personne ainsi trouvée coupable sera envoyée à telle école, dite " Approved School," qui pourra être autorisée par le Secrétaire d'Etat à la recevoir.

ARTICLE 8.

(1) Aux fins du présent Article une personne qui a besoin de protection signifie une personne, âgée de moins de dix-sept ans révolus qui :

(a) n'a ni père, ni mère, ni autre personne légalement tenue d'avoir le soin ou la garde d'elle, ou

(b) est négligée par son père, ou par sa mère, ou par quelque autre personne légalement tenue d'avoir le soin ou la garde d'elle :

et qui, par conséquent, suit de mauvaises fréquentations, ou est exposée à ses dangers moraux ou physiques, ou n'est pas sous un contrôle efficace.

(2) Le Procureur-Général du Roi pourra, sur le rapport d'un Connétable, présenter devant la Cour Royale toute personne qui, à son avis, a besoin de protection.

(3) La Cour Royale, après s'être satisfaite que la personne présentée devant elle a besoin de protection, pourra ordonner que la dite personne sera envoyée à telle école, dite " Approved School," qui pourra être autorisée par le Secrétaire d'Etat à la recevoir.

ARTICLE 9.

La Cour Royale n'ordonnera pas qu'une personne âgée de moins de dix ans révolus soit envoyée à une école dite " Approved School " à moins que la Cour ne soit satisfaite que les autres manières dans lesquelles elle pourrait en disposer ne rencontrent pas les circonstances spéciales du cas.

ARTICLE 10.

L'envoi d'une personne à une école dite " Approved School " ne sera effectué que sur l'ordre du Secrétaire d'Etat, et, dans l'entretemps, la dite personne sera sujette à tels ordres que la Cour Royale pourra donner en vue d'assurer le maintien et le bien-être de telle personne.

ARTICLE 11.

A partir du moment où une personne envoyée par la Cour Royale à une école dite " Approved School " aura été remise entre les mains des Directeurs (" Managers ") de l'Ecole autorisée par le Secrétaire d'Etat à la recevoir, elle sera susceptible d'être traitée à tous égards, et sera sujette aux prescriptions du dit " Children and Young Persons Act, 1933 " et des amendements apportés par la suite à icelui, comme si l'Ordre de la Cour Royale, en vertu duquel elle aura été envoyée à une école dite " Approved School," eût été un "Approved School Order " fait par une Cour Anglaise dite " Juvenile Court," et portant la même date que l'Ordre de la Cour Royale.

ARTICLE 12.

(1) Toute personne qui a été envoyée à une école dite " Approved School " et qui :

(*a*) s'est évadée de l'école où elle est détenue, ou d'un hôpital ou institution quelconque où elle reçoit des soins médicaux ; ou

(*b*) étant absente de l'école en permission temporaire ou sur licence, s'est enfuie de celui sous la surveillance duquel elle se trouve, ou n'est pas retournée à l'école à l'expiration de sa permission, ou lors de la révocation de sa licence ; ou

(*c*) étant absente de l'école sous surveillance, n'est pas retournée à l'école lorsqu'elle y fut rappelée

sera passible d'être saisie de fait en cette Ile sans mandat ou "Warrant" quelconque, et d'être conduite à tel endroit qui sera déterminé par le Secrétaire d'Etat.

(2) Celui qui sciemment :—

(*a*) aura aidé ou induit une personne à commettre une des offenses mentionnées au paragraphe (1) du présent Article ; ou

(*b*) aura reçu ou caché une personne qui a commis telle offense, ou aura empêché son retour,

sera passible, à discrétion de Justice, d'un emprisonnement, avec ou sans travail forcé, n'excédant pas deux mois ou d'une amende n'excédant pas Vingt livres Sterling.

ARTICLE 13.

Dans tous les cas où la Cour Royale a le pouvoir, en vertu de la présente Loi, d'ordonner qu'une personne soit envoyée à une école dite "Approved School," la Cour pourra, au lieu de donner tel ordre, ordonner :—

(*a*) que telle personne, étant du sexe masculin et âgée de moins de quatorze ans révolus, soit envoyée à l'Institution dite "Jersey Home for Boys," ou à quelque autre institution dans cette Ile qui serait prête à la recevoir, afin que telle personne y soit détenue pour tel terme qui sera fixé par la Cour, mais qui ne devra pas excéder le terme auquel telle personne atteindra l'âge de seize ans ; ou

(*b*) que telle personne, étant du sexe féminin et âgée de moins de quatorze ans révolus, soit envoyée à telle Institution dans cette Ile qui serait prête à la recevoir, afin que telle personne y soit détenue pour tel terme qui sera fixé par la Cour, mais qui ne devra pas excéder le terme auquel telle personne atteindra l'âge de dix-huit ans.

ARTICLE 14.

(1) Le père, la mère, ou autre personne légalement tenue d'avoir le soin ou la garde d'une personne qui a été envoyée, en vertu de la présente Loi, à une école dite "Approved School" sera sujet à payer au Conseil pour l'Administration des Poors Publique, une contribution qui n'excédera pas Vingt-trois chelins par semaine en aide aux frais du maintien de telle personne dans telle école, et ce jusqu'à ce que la dite personne ait cessé d'être à la garde des Directeurs ("Managers") d'une école dite "Approved School" ;

Etant entendu qu'aucune contribution ne sera payable par rapport aux périodes pendant lesquelles la dite personne pourrait être relâchée de son école sur licence ou sous surveillance.

(2) Le père, la mère, ou autre personne légalement tenue d'avoir le soin ou la garde d'une personne envoyée à l'Institution dite "Jersey Home for Boys," ou à une autre institution en cette Ile, en vertu de la présente Loi, sera sujet à payer au ~~Conseil d'Administration de la Prison Publique~~ Comité des Etats dit 'Prison Board' une contribution ~~qui n'excédera pas Vingt trois chelins par semaine~~ en aide aux frais du maintien de telle personne, et ce jusqu'à ce que la dite personne ait cessé d'être interne à la dite Institution.

(3) Le Procureur-Général du Roi pourra faire comparaître devant la Cour Royale tel père, mère ou autre personne, et la Cour, après s'être satisfaite sur l'état de ses moyens, pourra donner tel ordre qu'elle jugera convenable par rapport au paiement d'une contribution hebdomadaire en aide des dits frais.

TROISIEME PARTIE.

Article 15.

Tous les frais occasionnés par l'envoi, la détention et le retour :

(*a*) d'une personne condamnée à la détention en vertu de la Première Partie de cette Loi ; et

(*b*) d'une personne envoyée à une école dite "Approved School" en vertu de la Deuxième Partie de cette Loi ; et

(*c*) d'une personne envoyée à l'Institution dite "Jersey Home for Boys" ou à une autre Institution en cette Ile en vertu de la Deuxième Partie de cette Loi :

ainsi que tous les autres frais occasionnés à l'égard de telle personne seront à la charge du ~~Conseil d'Administration de la Prison Publique~~ Comité des Etats dit 'Prison Board'

Article 16.

La Loi sur la détention de jeunes enfants convaincus de crimes, de délits, ou de vagabondage, passée par les Etats l'an 1896, le 22 Avril et confirmée par Ordre de Sa Majesté en Conseil en date de l'an 1896, le 1er Août,* est et demeure rappelée mais sans préjudice :—

(*a*) aux frais qui sont à la charge du Conseil d'Administration de la Prison par rapport aux personnes qui ont été jugées sous l'empire de la dite Loi ; ou

(*b*) aux contributions que des pères, mères et autres personnes ont été condamnés à payer sous l'empire de la dite Loi.

Ce qui sera imprimé, publié et affiché.

H. LE RICHE EDWARDS,
Greffier des Etats.

* Voir Tome IV, page 338.

Children and Young Persons Act, 1933.

[23 GEO. 5. CH. 12.]

ARRANGEMENT OF SECTIONS.

A.D. 1933.

PART I.

PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER.

Offences.

Section

1. Cruelty to persons under sixteen.
2. Causing or encouraging seduction or prostitution of girl under sixteen.
3. Allowing persons under sixteen to be in brothels.
4. Causing or allowing persons under sixteen to be used for begging.
5. Giving intoxicating liquor to children under five.
6. Causing or allowing children to be in bars of licensed premises.
7. Sale of tobacco, &c., to persons under sixteen.
8. Taking pawns from persons under fourteen.
9. Purchase of old metals from persons under sixteen.
10. Vagrants preventing children from receiving education.
11. Exposing children under seven to risk of burning.
12. Failing to provide for safety of children at entertainments.

Special Provisions as to Prosecutions for Offences specified in First Schedule.

13. Power to take offenders into custody.
14. Mode of charging offences and limitation of time.
15. Evidence of husband or wife of accused person.

This document contains 110 pages

A.D. 1933.

Supplemental.

Section.
16. Application of Vexatious Indictments Act, 22 & 23 Vict. c. 17.
17. Interpretation of Part I.

PART II.

EMPLOYMENT.

General Provisions as to Employment.

18. Restrictions on employment of children.
19. Power of local authority to make byelaws with respect to employment of persons under eighteen other than children.
20. Street trading.
21. Penalties and legal proceedings in respect of general provisions as to employment.

Entertainments and Performances.

22. Restrictions on children taking part in entertainments.
23. Prohibition against persons under sixteen taking part in performances endangering life or limb.
24. Restrictions on training for performances of a dangerous nature.

Employment Abroad.

25. Restrictions on persons under eighteen going abroad for the purpose of performing for profit.
26. Punishment of contraventions of last foregoing section and proceedings with respect thereto.

Supplemental.

27. Byelaws.
28. Powers of entry.
29. Savings.
30. Interpretation of Part II.

PART III. A.D. 1933.

PROTECTION OF CHILDREN AND YOUNG PERSONS IN RELATION TO CRIMINAL AND SUMMARY PROCEEDINGS.

General Provisions as to Preliminary Proceedings.

Section.
31. Separation of children and young persons from adults in police stations, courts, &c.
32. Bail or detention of children and young persons arrested.
33. Remand or committal to custody in remand homes.
34. Attendance at court of parent of child or young person charged with an offence, &c.
35. Notice to local authority of charges against and applications relating to children and young persons.

General Provisions as to Proceedings in Court.

36. Prohibition against children being present in court during the trial of other persons.
37. Power to clear court while child or young person is giving evidence in certain cases.
38. Evidence of child of tender years.
39. Power to prohibit publication of certain matter in newspapers.

Special Procedure with regard to Offences specified in First Schedule.

40. Warrant to search for or remove a child or young person.
41. Power to proceed with case in absence of child or young person.
42. Extension of power to take deposition of child or young person.
43. Admission of deposition of child or young person in evidence.

Principles to be observed by all Courts in dealing with Children or Young Persons.

44. General considerations.

A.D. 1933.

Juvenile Courts.

Section.

45. Constitution of juvenile courts.
46. Assignment of certain matters to juvenile courts.
47. Procedure in juvenile courts.
48. Miscellaneous provisions as to powers of juvenile courts.
49. Restrictions on newspaper reports of proceedings in juvenile courts.

Juvenile Offenders.

50. Age of criminal responsibility.
51. Removal of disqualifications attaching to felony.
52. Restrictions on punishment of children and young persons.
53. Punishment of certain grave crimes.
54. Substitution of custody in remand home for imprisonment.
55. Power to order parent to pay fine, &c., instead of child or young person.
56. Power of other courts to remit juvenile offenders to juvenile courts.
57. Power to send juvenile offenders to approved schools or to commit them to fit persons.
58. Power of Secretary of State to send certain juvenile offenders to approved schools.
59. Miscellaneous provisions as to summary proceedings against juvenile offenders.
60. Amendments of certain enactments relating to criminal proceedings and courts of summary jurisdiction.

Children and Young Persons in need of Care or Protection.

61. Definition of "in need of care or protection."
62. Powers of juvenile courts in respect of children and young persons in need of care or protection.
63. Powers of other courts with respect to last foregoing section.

Refractory Children and Young Persons.

64. Power of parent or guardian to bring child or young person before juvenile court.
65. Power of poor law authority to bring child or young person before juvenile court.

Section. *Supplemental.* A.D. 1933.

66. Supervision by probation officers or other persons.
67. Removal or remand of child or young person to place of safety.
68. Regard to be had to religious persuasion of person sent to approved school.
69. Coming into force of approved school orders.
70. Contents of approved school orders.
71. Duration of approved school orders.
72. Conveyance of children or young persons to approved school.
73. Extension of period of detention in approved schools.
74. Supervision and recall after expiration of order.
75. Provisions as to making, duration, and effect, of orders of committal to fit persons.
76. Committal to local and other authorities as "fit persons."

PART IV.

REMAND HOMES, APPROVED SCHOOLS, AND PERSONS TO WHOSE CARE CHILDREN AND YOUNG PERSONS MAY BE COMMITTED.

Remand Homes.

77. Provision of remand homes by councils of counties and county boroughs.
78. Provisions as to custody of children and young persons in remand homes.

Approved Schools.

79. Approval of schools.
80. Provision of approved schools by local authorities.
81. Classification, administration, and management.
82. Escapes from approved schools, etc.
83. Power to send children and young persons from Scotland, Northern Ireland, Isle of Man and Channel Islands to approved schools in England.

Fit Persons.

84. General provisions as to children and young persons committed to the care of fit persons.
85. Escapes from care of fit persons.

A.D. 1933.

Provisions as to Contributions towards Expenses.

Section.
86. Contributions to be made by parents, &c., of children and young persons committed to the care of fit persons, or to approved schools.
87. Enforcement of duty of parent, &c., to make contributions.
88. Provision as to affiliation orders.
89. Miscellaneous provisions as to contribution orders.
90. Contributions by local authorities in respect of persons sent to approved schools.
91. Variation of trusts for maintenance of child or young person.

PART V.

HOMES SUPPORTED BY VOLUNTARY CONTRIBUTIONS.

92. Definition of voluntary homes.
93. Notification of particulars with respect to voluntary homes.
94. Inspection of voluntary homes.
95. Control over voluntary homes.

PART VI.

SUPPLEMENTAL.

Local Authorities.

96. Provisions as to local authorities.
97. Modifications of last foregoing section as to City of London.
98. Institution of proceedings by local or poor law authorities.

Supplementary Provisions as to Legal Proceedings.

99. Presumption and determination of age.
100. Evidence of wages of defendant.
101. Application of Summary Jurisdiction Acts.
102. Appeals to quarter sessions.

Supplementary Provisions as to Secretary of State.

103. Power of Secretary of State to appoint inspectors.
104. Exchequer grants and expenses of Secretary of State.

General. A.D. 1933.

Section.

105. Variation of Orders in Council.
106. Provisions as to documents, &c.
107. Interpretation.
108. Transitory provisions.
109. Short title, commencement, extent and repeals.

SCHEDULES :

First Schedule.—Offences against children and young persons, with respect to which Special Provisions of this Act apply.

Second Schedule. — Constitution of Juvenile Courts.

Third Schedule.—Amendments of certain enactments relating to criminal proceedings and courts of summary jurisdiction.

Fourth Schedule.—Provisions as to administration of approved schools and treatment of persons sent thereto.

Fifth Schedule.—Transitory provisions.

Sixth Schedule.—Enactments repealed.

CHAPTER 12.

An Act to consolidate certain enactments relating to persons under the age of eighteen years. A.D. 1933.

[13th April 1933.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER.

Offences.

Cruelty to persons under sixteen.

1.—(1) If any person who has attained the age of sixteen years and has the custody, charge, or care of any child or young person under that age, wilfully assaults, ill-treats, neglects, abandons, or exposes him, or causes or procures him to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of a misdemeanour, and shall be liable—

(*a*) on conviction on indictment, to a fine not exceeding one hundred pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding two years;

A.D. 1933.

PART I. —*cont.*

(*b*) on summary conviction, to a fine not exceeding twenty-five pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding six months.

(2) For the purposes of this section—

(*a*) a parent or other person legally liable to maintain a child or young person shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided under the Acts relating to the relief of the poor;

(*b*) where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air passages of the infant) while the infant was in bed with some other person who has attained the age of sixteen years, that other person shall, if he was, when he went to bed, under the influence of drink, be deemed to have neglected the infant in a manner likely to cause injury to its health.

(3) A person may be convicted of an offence under this section—

(*a*) notwithstanding that actual suffering or injury to health, or the likelihood of actual suffering or injury to health, was obviated by the action of another person;

(*b*) notwithstanding the death of the child or young person in question.

(4) Upon the trial of any person who has attained the age of sixteen years and is indicted for infanticide or for the manslaughter of a child or young person under the age of sixteen years of whom he had the custody, charge, or care, it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section to find him guilty of that offence.

(5) If it is proved that a person convicted under this section was directly or indirectly interested in any sum of money accruing or payable in the event of the death of the child or young person, and had knowledge that that sum of money was accruing or becoming payable, then—

(*a*) in the case of a conviction on indictment, the maximum amount of the fine which may be imposed under this section shall be two hundred pounds, and the court shall have power, in lieu of awarding any other penalty under this section, to sentence the person convicted to penal servitude for any term not exceeding five years; and

(*b*) in the case of a summary conviction, the court in determining the sentence to be awarded shall take into consideration the fact that the person was so interested and had such knowledge.

(6) For the purposes of the last foregoing subsection :—

(*a*) a person shall be deemed to be directly or indirectly interested in a sum of money if he has any share in or any benefit from the payment of that money, notwithstanding that he may not be a person to whom it is legally payable; and

(*b*) a copy of a policy of insurance, certified to be a true copy by an officer or agent of the insurance company granting the policy, shall be evidence that the child or young person therein stated to be insured has in fact been so insured, and that the person in whose favour the policy has been granted is the person to whom the money thereby insured is legally payable.

(7) Nothing in this section shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him.

Causing or encouraging seduction or prostitution of girl under sixteen.

2.—(1) If any person having the custody, charge, or care of a girl under the age of sixteen years causes or encourages the seduction, unlawful carnal knowledge, or prostitution of, or the commission of an indecent assault upon, her, he shall be guilty of a misdemeanour

A.D. 1933.

PART I. —*cont.*

and shall be liable to imprisonment for any term not exceeding two years.

(2) For the purposes of this section a person shall be deemed to have caused or encouraged the seduction, unlawful carnal knowledge, or prostitution of, or the commission of an indecent assault upon, a girl who has been seduced, unlawfully carnally known, or indecently assaulted, or who has become a prostitute, if he has knowingly allowed her to consort with, or to enter or continue in the employment of, any prostitute or person of known immoral character.

Allowing persons under sixteen to be in brothels.

3.—(1) If any person having the custody, charge or care of a child or young person who has attained the age of four years and is under the age of sixteen years, allows that child or young person to reside in or to frequent a brothel, he shall be guilty of a misdemeanour and shall be liable on conviction on indictment, or on summary conviction, to a fine not exceeding twenty-five pounds, or alternatively or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding six months.

48 & 49 Vict. c. 69.

(2) Nothing in this section shall affect the liability of a person to be indicted under section six of the Criminal Law Amendment Act, 1885, but upon the trial of a person under that section it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section, to find him guilty of that offence.

Causing or allowing persons under sixteen to be used for begging.

4.—(1) If any person causes or procures any child or young person under the age of sixteen years or, having the custody, charge, or care of such a child or young person, allows him to be in any street, premises, or place for the purpose of begging or receiving alms, or of inducing the giving of alms (whether or not there is any pretence of singing, playing, performing, offering anything for sale, or otherwise) he shall, on summary conviction, be liable to a fine not exceeding twenty-five pounds, or alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding three months.

(2) If a person having the custody, charge, or care of a child or young person is charged with an offence under this section, and it is proved that the child or young person was in any street, premises, or place for any such purpose as aforesaid, and that the person

charged allowed the child or young person to be in the street, premises, or place, he shall be presumed to have allowed him to be in the street, premises, or place for that purpose unless the contrary is proved.

(3) If any person while singing, playing, performing or offering anything for sale in a street or public place has with him a child who has been lent or hired out to him, the child shall, for the purposes of this section, be deemed to be in that street or place for the purpose of inducing the giving of alms.

Giving intoxicating liquor to children under five.

5. If any person gives, or causes to be given, to any child under the age of five years any intoxicating liquor, except upon the order of a duly qualified medical practitioner, or in case of sickness, apprehended sickness, or other urgent cause, he shall, on summary conviction, be liable to a fine not exceeding three pounds.

Causing or allowing children to be in bars of licensed premises.

6.—(1) The holder of the licence of any licensed premises shall not allow a child to be at any time in the bar of the licensed premises during the permitted hours.

(2) If the holder of a licence acts in contravention of this section, or if any person causes, or procures, or attempts to cause or procure, any child to go to, or to be in, the bar of any licensed premises during the permitted hours, he shall be liable, on summary conviction, to a fine not exceeding, in respect of the first offence, forty shillings, and in respect of any subsequent offence, five pounds.

(3) If a child is found in the bar of any licensed premises during the permitted hours, the holder of the licence shall be deemed to have committed an offence under this section unless he shows that he had used due diligence to prevent the child from being admitted to the bar or that the child had apparently attained the age of fourteen years.

(4) Nothing in this section shall apply in the case of any child who is—

(*a*) a child of the licence holder; or

(*b*) resident but not employed in the licensed premises; or

(*c*) in the bar of licensed premises solely for the purpose of passing to or from some other part of the premises, being a part to or from which

A.D. 1933.

PART I. —*cont.*

there is no other convenient means of access or egress and not being itself a bar; or

(*d*) in any railway refreshment rooms or other premises constructed, fitted and intended to be used in good faith for any purpose to which the holding of a licence is merely auxiliary.

(5) In this section the expression "bar" in relation to any licensed premises means any open drinking bar or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquor, and the expressions "licence," "licensed premises" and "permitted hours" have the same meanings as in the Licensing Acts, 1910 to 1923.

Sale of tobacco, &c., to persons under sixteen.

7.—(1) Any person who sells to a person apparently under the age of sixteen years any tobacco or cigarette papers, whether for his own use or not, shall be liable, on summary conviction, in the case of a first offence to a fine not exceeding two pounds, in the case of a second offence to a fine not exceeding five pounds, and in the case of a third or subsequent offence to a fine not exceeding ten pounds:

Provided that a person shall not be guilty of an offence under this section in respect of any sale of tobacco otherwise than in the form of cigarettes, if he did not know and had no reason to believe that the tobacco was for the use of the person to whom it was sold.

(2) If on complaint to a court of summary jurisdiction it is proved to the satisfaction of the court that any automatic machine for the sale of tobacco kept on any premises is being extensively used by persons apparently under the age of sixteen years, the court may order the owner of the machine, or the person on whose premises the machine is kept, to take such precautions to prevent the machine being so used as may be specified in the order or, if necessary, to remove the machine, within such time as may be specified in the order, and if any person against whom such an order has been made fails to comply therewith, he shall be liable, on summary conviction, to a fine not exceeding five pounds, and to a further fine not exceeding one pound for each day during which the offence continues.

(3) It shall be the duty of a constable and of a park-keeper being in uniform to seize any tobacco or

cigarette papers in the possession of any person apparently under the age of sixteen years whom he finds smoking in any street or public place, and any tobacco or cigarette papers so seized shall be disposed of, if seized by a constable, in such manner as the police authority may direct, and if seized by a park-keeper, in such manner as the authority or person by whom he was appointed may direct.

(4) Nothing in this section shall make it an offence to sell tobacco or cigarette papers to, or shall authorise the seizure of tobacco or cigarette papers in the possession of, any person who is at the time employed by a manufacturer of or dealer in tobacco, either wholesale or retail, for the purposes of his business, or is a boy messenger in uniform in the employment of a messenger company and employed as such at the time.

(5) For the purposes of this section the expression "tobacco" includes cigarettes and smoking mixtures intended as a substitute for tobacco, and the expression "cigarettes" includes cut tobacco rolled up in paper, tobacco leaf, or other material in such form as to be capable of immediate use for smoking.

Taking pawns from persons under fourteen.

8. If a pawnbroker takes an article in pawn from any person apparently under the age of fourteen years, whether offered by that person on his own behalf or on behalf of any other person, he shall be guilty of an offence against the Pawnbrokers Act, 1872. 35 & 36 Vict. c. 93.

Purchase of old metals from persons under sixteen. 34 & 35 Vict. c. 112. 57 & 58 Vict. c. 60.

9.—(1) If a dealer in old metal as defined by the Prevention of Crimes Act, 1871, or a marine store dealer within the meaning of Part IX of the Merchant Shipping Act, 1894, purchases from any person apparently under the age of sixteen years any old metal, whether offered for sale by that person on his own behalf or on behalf of any other person, he shall be liable on summary conviction to a fine not exceeding five pounds.

(2) For the purposes of this section "old metal" includes scrap metal, broken metal, or partly manufactured metal goods, and old or defaced metal goods.

Vagrants preventing children

10.—(1) If a person habitually wanders from place to place and takes with him any child who has attained the age of five years he shall, unless he proves that the

A.D. 1933.

PART I. —*cont.*

from receiving education.

child is totally exempted from school attendance or that the child is not, by being so taken with him, prevented from receiving efficient elementary education, be liable on summary conviction to a fine not exceeding with costs twenty shillings :

Provided that this provision shall not apply to a child in a canal boat for whose education provision is made under section fifty of the Education Act, 1921.

11 & 12 Geo. 5 c. 51.

(2) Any constable who finds a person wandering from place to place and taking a child with him may, if he has reasonable ground for believing that the person is guilty of an offence under this section, apprehend him without a warrant, and may take the child to a place of safety in accordance with the provisions of this Act.

(3) Without prejudice to the requirements of the Education Act, 1921, as to school attendance or to proceedings thereunder, this section shall not, during the months of April to September inclusive, apply to any child whose parent or guardian is engaged in a trade or business of such a nature as to require him to travel from place to place, if a certificate has been obtained that the child has made not less than two hundred attendances at a public elementary school during the months of October to March immediately preceding.

(4) The Board of Education shall have power to make regulations as to the issue of certificates of attendance for the purposes of the last foregoing subsection, and any such regulations shall be laid before Parliament as soon as may be after they are made.

Exposing children under seven to risk of burning.

11. If any person who has attained the age of sixteen years, having the custody, charge or care of any child under the age of seven years, allows the child to be in any room containing an open fire grate not sufficiently protected to guard against the risk of his being burnt or scalded without taking reasonable precautions against that risk, and by reason thereof the child is killed or suffers serious injury, he shall on summary conviction be liable to a fine not exceeding ten pounds :

Provided that neither this section, nor any proceedings taken thereunder, shall affect any liability of any such person to be proceeded against by indictment for any indictable offence.

A.D. 1933.

PART I. —*cont.*

Failing to provide for safety of children at entertainments.

12.—(1) Where there is provided in any building an entertainment for children, or an entertainment at which the majority of the persons attending are children, then, if the number of children attending the entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and to take all other reasonable precautions for the safety of the children.

(2) Where the occupier of a building permits, for hire or reward, the building to be used for the purpose of an entertainment, he shall take all reasonable steps to secure the observance of the provisions of this section.

(3) If any person on whom any obligation is imposed by this section fails to fulfil that obligation, he shall be liable, on summary conviction, to a fine not exceeding, in the case of a first offence fifty pounds, and in the case of a second or subsequent offence one hundred pounds, and also, if the building in which the entertainment is given is licensed under the Cinematograph Act, 1909, or under any of the enactments relating to the licensing of theatres and of houses and other places for music or dancing, the licence shall be liable to be revoked by the authority by whom the licence was granted.

9 Edw. 7., c. 30.

(4) A constable may enter any building in which he has reason to believe that such an entertainment as aforesaid is being, or is about to be, provided, with a view to seeing whether the provisions of this section are carried into effect, and an officer authorised for the purpose by an authority by whom licences are granted under any of the enactments referred to in the last foregoing subsection shall have the like power of entering any building so licensed by that authority.

(5) The institution of proceedings under this section shall—

(a) in the case of a building licensed by the Lord Chamberlain, or licensed by the council of a

A.D. 1933.

PART I. —*cont.*

county or county borough under the Cinematograph Act, 1909, or under the enactments relating to the licensing of theatres or of houses and other places for music or dancing, be the duty of the council of the county or county borough in which the building is situated; and

(*b*) in any other case, be the duty of the police authority.

(6) This section shall not apply to any entertainment given in a private dwelling-house.

Special Provisions as to Prosecutions for Offences specified in First Schedule.

Power to take offenders into custody.

13.—(1) Any constable may take into custody, without warrant—

(*a*) any person who within his view commits any of the offences mentioned in the First Schedule to this Act, if the constable does not know and cannot ascertain his name and residence;

(*b*) any person who has committed, or whom he has reason to believe to have committed, any of the offences mentioned in the First Schedule to this Act, if the constable has reasonable ground for believing that that person will abscond or does not know and cannot ascertain his name and address.

(2) Where, under the powers conferred by this section, a constable arrests any person without warrant, the superintendent or inspector of police or an officer of police of equal or superior rank, or the officer in charge of the police station to which the person is brought, shall, unless in his belief the release of the person on bail would tend to defeat the ends of justice, or to cause injury or danger to the child or young person against whom the offence is alleged to have been committed, release the person arrested on his entering into such a recognisance, with or without sureties, as may in the judgment of the officer of police be required to secure his attendance upon the hearing of the charge.

Mode of charging offences and limitation of time.

14.—(1) Where a person is charged with committing any of the offences mentioned in the First Schedule to this Act in respect of two or more children or young persons, the same information or summons may charge the offence in respect of all or any of them, but the

person charged shall not, if he is summarily convicted, be liable to a separate penalty in respect of each child or young person except upon separate informations.

(2) The same information or summons may also charge any person as having the custody, charge, or care, alternatively or together, and may charge him with the offences of assault, ill-treatment, neglect, abandonment, or exposure, together or separately, and may charge him with committing all or any of those offences in a manner likely to cause unnecessary suffering or injury to health, alternatively or together, but when those offences are charged together the person charged shall not, if he is summarily convicted, be liable to a separate penalty for each.

(3) A person shall not be summarily convicted of an offence mentioned in the First Schedule to this Act, unless the offence was wholly or partly committed within six months before the information was laid; but, subject as aforesaid, evidence may be taken of acts constituting, or contributing to constitute, the offence, and committed at any previous time.

(4) When any offence mentioned in the First Schedule to this Act charged against any person is a continuous offence, it shall not be necessary to specify in the information, summons, or indictment, the date of the acts constituting the offence.

Evidence of husband or wife of accused person. 61 & 62 Vict. c. 36.

15. As respects proceedings against any person for any of the offences mentioned in the First Schedule to this Act, the Criminal Evidence Act, 1898, shall apply as if the Schedule to that Act included references to those offences.

Supplemental.

Application of Vexatious Indictments Act, 22 & 23 Vict. c. 17.

16. Every misdemeanour under this Part of this Act shall be deemed to be an offence within, and subject to, the provisions of the Vexatious Indictments Act, 1859.

Interpretation of Part I.

17. For the purposes of this Part of this Act—

Any person who is the parent or legal guardian of a child or young person or who is legally liable to maintain him shall be presumed to have the custody of him, and as between father and

A.D. 1933.

PART I. —*cont.*

mother the father shall not be deemed to have ceased to have the custody of him by reason only that he has deserted, or otherwise does not reside with, the mother and the child or young person;

Any person to whose charge a child or young person is committed by any person who has the custody of him shall be presumed to have charge of the child or young person;

Any other person having actual possession or control of a child or young person shall be presumed to have the care of him.

PART II.

EMPLOYMENT.

General Provisions as to Employment.

Restrictions on employment of children.

18.—(1) Subject to the provisions of this section and of any byelaws made thereunder no child shall be employed—

(*a*) so long as he is under the age of twelve years; or

(*b*) before the close of school hours on any day on which he is required to attend school; or

(*c*) before six o'clock in the morning or after eight o'clock in the evening on any day; or

(*d*) for more than two hours on any day on which he is required to attend school; or

(*e*) for more than two hours on any Sunday; or

(*f*) to lift, carry or move anything so heavy as to be likely to cause injury to him.

(2) A local authority may make byelaws with respect to the employment of children, and any such byelaws may distinguish between children of different ages and sexes and between different localities, trades, occupations and circumstances, and may contain provisions—

(*a*) authorising—

(i) the employment of children under the age of twelve years (notwithstanding anything in paragraph (*a*) of the last foregoing subsection) by their parents or guardians in light agricultural or horticultural work;

(ii) the employment of children (notwithstanding anything in paragraph (*b*) of the

last foregoing subsection) for not more than one hour before the commencement of school hours on any day on which they are required to attend school;

(*b*) prohibiting absolutely the employment of children in any specified occupation;

(*c*) prescribing—

(i) the age below which children are not to be employed;

(ii) the number of hours in each day, or in each week, for which, and the times of day at which, they may be employed;

(iii) the intervals to be allowed to them for meals and rest;

(iv) the holidays or half-holidays to be allowed to them;

(v) any other conditions to be observed in relation to their employment;

so, however, that no such byelaws shall modify the restrictions contained in the last foregoing subsection save in so far as is expressly permitted by paragraph (*a*) of this subsection, and any restriction contained in any such byelaws shall have effect in addition to the said restrictions.

(3) Nothing in paragraph (*c*) or in paragraph (*d*) of subsection (1) of this section, or in any byelaw made under this section, shall prevent a child from taking part in an entertainment under and in accordance with the provisions of a licence granted and in force under the provisions of this Part of this Act.

Power of local authority to make byelaws with respect to employment of persons under eighteen other than children.

19.—(1) Subject to the provisions of this section, a local authority may make byelaws with respect to the employment of persons under the age of eighteen years other than children, and any such byelaws may distinguish between persons of different ages and sexes, and between different localities, trades, occupations and circumstances, and may contain provisions prescribing—

(*a*) the number of hours in each day or in each week for which, and the times of day at which, they may be employed;

(*b*) the intervals to be allowed to them for meals and rest;

A.D. 1933.

PART II. —*cont.*

(*c*) the holidays or half-holidays to be allowed to them;

(*d*) any other conditions to be observed in relation to their employment.

(2) Nothing in this section shall empower a local authority to make byelaws with respect to—

(*a*) employment in or about the delivery, collection, or transport of goods, except in the capacity of van boy, errand boy, or messenger;

(*b*) employment in or in connection with factories, workshops, mines, quarries, shops, or offices, except in the capacity of van boy, errand boy, or messenger;

(*c*) employment in the building or engineering trades, except in the capacity of van boy, errand boy, or messenger;

(*d*) employment in agriculture;

(*e*) employment in domestic service, except as non-resident daily servant;

(*f*) employment in any ship or boat registered in the United Kingdom as a British ship or in any British fishing boat entered in the fishing boat register.

(3) This section shall not come into operation until such date as may be appointed by an order of the Secretary of State, and the Secretary of State shall not make such an order until a draft thereof has been laid before both Houses of Parliament and has been approved by resolutions passed in the same session of Parliament by both Houses.

Street trading.

20.—(1) No person under the age of sixteen years shall engage or be employed in street trading:

Provided that byelaws made under this section may permit young persons who have not attained the age of sixteen years to be employed by their parents in street trading.

(2) A local authority may make byelaws regulating or prohibiting street trading by persons under the age of eighteen years, and byelaws so made may distinguish between persons of different ages and sexes and between different localities, and may contain provisions—

(*a*) forbidding any such person to engage or be employed in street trading unless he holds a

licence granted by the authority, and regulating the conditions on which such licences may be granted, suspended, and revoked;

(*b*) determining the days and hours during which, and the places at which, such persons may engage or be employed in street trading;

(*c*) requiring such persons so engaged or employed to wear badges;

(*d*) regulating in any other respect the conduct of such persons while so engaged or employed.

Penalties and legal proceedings in respect of general provisions as to employment.

21.—(1) If a person is employed in contravention of any of the foregoing provisions of this Part of this Act, or of the provisions of any byelaw made thereunder, the employer and any person (other than the person employed) to whose act or default the contravention is attributable shall be liable on summary conviction to a fine not exceeding five pounds or, in the case of a second or subsequent offence, not exceeding twenty pounds:

Provided that, if proceedings are brought against the employer, the employer, upon information duly laid by him and on giving to the prosecution not less than three days' notice of his intention, shall be entitled to have any person (other than the person employed) to whose act or default he alleges that the contravention was due, brought before the court as a party to the proceedings, and if, after the contravention has been proved, the employer proves to the satisfaction of the court that the contravention was due to the act or default of the said other person, that person may be convicted of the offence; and if the employer further proves to the satisfaction of the court that he has used all due diligence to secure that the provisions in question should be complied with, he shall be acquitted of the offence.

(2) Where an employer seeks to avail himself of the proviso to the last foregoing subsection,

(*a*) the prosecution shall have the right to cross-examine him, if he gives evidence, and any witness called by him in support of his charge against the other person, and to call rebutting evidence; and

(*b*) the court may make such order as it thinks fit for the payment of costs by any party to the proceedings to any other party thereto.

A.D. 1933.

PART II. —*cont.*

(3) A person under the age of eighteen years, who engages in street trading in contravention of the provisions of the last foregoing section, or of any byelaw made thereunder, shall be liable on summary conviction to a fine not exceeding twenty shillings, or in the case of a second or subsequent offence, not exceeding forty shillings.

Entertainments and Performances.

Restrictions on children taking part in entertainments.

22.—(1) Subject to the provisions of this section a child shall not, except under and in accordance with the provisions of a licence granted and in force thereunder, take part in any entertainment in connection with which any charge, whether for admission or not, is made to any of the audience; and every person who causes or procures a child, or being his parent or guardian allows him, to take part in an entertainment in contravention of this section, shall, on summary conviction, be liable to a fine not exceeding five pounds or, in the case of a second or subsequent offence, not exceeding twenty pounds.

(2) Subject as hereinafter provided and without prejudice to the provisions of this Part of this Act and any byelaws made thereunder with respect to employment, a licence under this section shall not be necessary for a child to take part in an entertainment if—

(*a*) he has not during the preceding six months taken part on more than six occasions in entertainments in connection with which any such charge as aforesaid was made; and

(*b*) the net proceeds of the entertainment are devoted to purposes other than the private profit of the promoters:

Provided that this subsection shall not apply in the case of an entertainment given in premises which are licensed for the sale of any intoxicating liquor unless either—

(i) those premises are also licensed for the public performance of stage plays or for public music, singing or dancing; or

(ii) special authority for the child to take part in the entertainment has been granted in writing under the hands of two justices of the peace.

(3) Subject to such restrictions and conditions as may be prescribed by rules made by the Board of

Education, a local authority may grant a licence for a child who has attained the age of twelve years and is residing in their area to take part in any specified entertainment or series of entertainments, whether within or without that area:

Provided that—

(*a*) no licence shall be granted unless the local authority are satisfied that the child is fit to take part in the entertainment, or series of entertainments, and that proper provision has been made to secure his health and kind treatment; and

(*b*) no licence shall be granted in respect of any entertainment which is to take place on a Sunday.

(4) The holder of a licence under this section shall, at least seven days before the child takes part in any entertainment, furnish to the local authority within whose area the entertainment is to take place particulars of the licence and such other information as the Board of Education may by rules prescribe and, if he fails so to do, he shall be liable on summary conviction to a fine not exceeding five pounds.

(5) If any restriction or condition contained in a licence under this section is not observed, the licence may be revoked by any local authority within whose area any entertainment to which it relates has taken or is about to take place; and, subject to any restrictions and conditions prescribed by rules made by the Board of Education, any such licence may at the request of the holder of the licence be varied or extended by any such local authority as aforesaid.

(6) If the applicant for, or holder of, a licence under this section feels aggrieved by any decision of a local authority, he may appeal to the Board of Education, who may thereupon exercise any of the powers conferred on a local authority by this section.

Prohibition against persons under sixteen taking part in performances endangering life or limb.

23. No person under the age of sixteen years shall take part in any public performance in which his life or limbs are endangered and every person who causes or procures such a person, or being his parent or guardian allows him, to take part in such a performance,

A.D. 1933.

PART II. —*cont.*

shall be liable on summary conviction to a fine not exceeding ten pounds or, in the case of a second or subsequent offence, not exceeding fifty pounds:

Provided that no proceedings shall be taken under this subsection except by or with the authority of a chief officer of police.

Restrictions on training for performances of a dangerous nature.

24.—(1) No person under the age of twelve years shall be trained to take part in performances of a dangerous nature, and no person under the age of sixteen years shall be trained to take part in such performances except under and in accordance with the terms of a licence granted and in force under this section; and every person who causes or procures a person, or being his parent or guardian allows him, to be trained to take part in performances of a dangerous nature in contravention of this section, shall be liable on summary conviction to a fine not exceeding five pounds or, in the case of a second or subsequent offence, not exceeding twenty pounds.

(2) A petty sessional court may grant a licence for a person who has attained the age of twelve years but is under the age of sixteen years to be trained to take part in performances of a dangerous nature.

(3) An applicant for a licence under this section shall, at least seven days before making the application, give notice thereof to the chief officer of police for the district in which the person is, in accordance with the provisions of the licence, to be trained, and that officer may appear, or instruct some person to appear, before the court and show cause why the licence should not be granted, and no licence shall be granted unless the court is satisfied that notice has been so given.

(4) A licence under this section shall specify the place or places at which the person is to be trained and shall embody such conditions as are, in the opinion of the court, necessary for his protection, but a licence shall not be refused if the court is satisfied that the person is fit and willing to be trained and that proper provision has been made to secure his health and kind treatment.

(5) A licence under this section may, on cause being shown by any person, be revoked by a petty sessional court acting for the same petty sessional division or place as the court by which the licence was granted.

Employment Abroad.

A.D. 1933.

PART II. —*cont.*

Restrictions on persons under eighteen going abroad for the purpose of performing for profit.

25.—(1) No person having the custody, charge or care of any person under the age of eighteen years shall allow him, nor shall any person cause or procure any person under that age, to go abroad for the purpose of singing, playing, performing, or being exhibited, for profit, unless he has attained the age of fourteen years and a licence has been granted in respect of him under this section:

Provided that this subsection shall not apply in any case where it is proved that the person under the age of eighteen years was only temporarily resident within Great Britain and Ireland.

(2) A police magistrate may grant a licence in such form as the Secretary of State may prescribe, and subject to such restrictions and conditions as the police magistrate thinks fit, for any person who has attained the age of fourteen years but is under the age of eighteen years to go abroad for the purpose of singing, playing, performing, or being exhibited, for profit, but no such licence shall be granted in respect of any person unless the police magistrate is satisfied—

(*a*) that the application for the licence is made by or with the consent of his parent or guardian;

(*b*) that he is going abroad to fulfil a particular engagement;

(*c*) that he is fit for the purpose, and that proper provision has been made to secure his health, kind treatment, and adequate supervision while abroad, and his return from abroad at the expiration or revocation of the licence;

(*d*) that there has been furnished to him a copy of the contract of employment or other document showing the terms and conditions of employment drawn up in a language understood by him.

(3) A person applying for a licence under this section, shall, at least seven days before making the application, give to the chief officer of police for the district in which the person resides to whom the application relates, notice of the intended application together with a copy of the contract of employment or other document showing the terms and conditions of employment, and the chief officer of police shall send that copy

A.D. 1933.

PART II. —*cont.*

to the police magistrate and may make a report in writing on the case to him or may appear, or instruct some person to appear, before him and show cause why the licence should not be granted, and the police magistrate shall not grant the licence unless he is satisfied that notice has been properly so given:

Provided that if it appears that the notice was given less than seven days before the making of the application, the police magistrate may nevertheless grant a licence if he is satisfied that the officer to whom the notice was given has made sufficient enquiry into the facts of the case and does not desire to oppose the application.

(4) A licence under this section shall not be granted for more than three months but may be renewed by a police magistrate from time to time for a like period, so, however, that no such renewal shall be granted, unless the police magistrate—

(*a*) is satisfied by a report of a British consular officer or other trustworthy person that the conditions of the licence are being complied with;

(*b*) is satisfied that the application for renewal is made by or with the consent of the parent or guardian of the person to whom the licence relates.

(5) A police magistrate—

(*a*) may vary a licence granted under this section and may at any time revoke such a licence for any cause which he, in his discretion, considers sufficient:

(*b*) need not, when renewing or varying a licence granted under this section, require the attendance before him of the person to whom the licence relates.

(6) The police magistrate to whom application is made for the grant, renewal or variation of a licence shall, unless he is satisfied that in the circumstances it is unnecessary, require the applicant to give such security as he may think fit (either by entering into a recognisance with or without sureties or otherwise) for the observance of the restrictions and conditions in the licence or in the licence as varied, and the recognisance may be enforced in like manner as a recognisance for the doing

of some matter or thing required to be done in a proceeding before a court of summary jurisdiction is enforceable.

(7) If in any case where a licence has been granted under this section, it is proved to the satisfaction of a police magistrate that by reason of exceptional circumstances it is not in the interests of the person to whom the licence relates to require him to return from abroad at the expiration of the licence, then, notwithstanding anything in this section or any restriction or condition attached to the licence, the magistrate may by order release all persons concerned from any obligation to cause that person to return from abroad.

(8) Where a licence is granted, renewed or varied under this section, the police magistrate shall send the prescribed particulars to the Secretary of State for transmission to the proper consular officer, and every consular officer shall register the particulars so transmitted to him and perform such other duties in relation thereto as the Secretary of State may direct.

(9) In this section the expression "police magistrate" means one of the following magistrates, that is to say—

(*a*) the chief magistrate of the metropolitan police courts;

(*b*) any magistrate of the metropolitan police court in Bow Street;

(*c*) any stipendiary magistrate appointed by Order in Council to exercise jurisdiction under this section,

and the powers conferred by this section on a police magistrate shall in every case be exercisable by any of the magistrates aforesaid.

(10) This and the next following section extend to Scotland and to Northern Ireland.

Punishment of contraventions of last foregoing section and proceedings with respect thereto.

26.—(1) If any person acts in contravention of the provisions of subsection (1) of the last foregoing section he shall be guilty of an offence under this section and be liable, on summary conviction, to a fine not exceeding one hundred pounds, or, alternatively, or in default of payment of such a fine, or in addition thereto, to imprisonment for any term not exceeding three months:

A.D. 1933.

PART II. —*cont.*

Provided that if he procured the person to go abroad by means of any false pretence or false representation, he shall be liable on conviction on indictment to imprisonment for any term not exceeding two years.

(2) Where, in proceedings under this section against a person, it is proved that he caused, procured, or allowed a person under the age of eighteen years to go abroad and that that person has while abroad been singing, playing, performing, or being exhibited, for profit, the defendant shall be presumed to have caused, procured, or allowed him to go abroad for that purpose, unless the contrary is proved:

Provided that where the contrary is proved, the court may order the defendant to take such steps as the court directs to secure the return of the person in question to the United Kingdom, or to enter into a recognisance to make such provision as the court may direct to secure his health, kind treatment, and adequate supervision while abroad, and his return to the United Kingdom at the expiration of such period as the court may think fit.

(3) Proceedings in respect of an offence under this section or for enforcing a recognisance under this or the last foregoing section may be instituted at any time within a period of three months from the first discovery by the person taking the proceedings of the commission of the offence or, as the case may be, the non-observance of the restrictions and conditions contained in the licence, or, if at the expiration of that period the person against whom it is proposed to institute the proceedings is outside the United Kingdom, at any time within six months after his return to the United Kingdom.

(4) In any such proceedings as aforesaid, a report of any British consular officer and any deposition made on oath before a British consular officer and authenticated by the signature of that officer, respecting the observance or non-observance of any of the conditions or restrictions contained in a licence granted under the last foregoing section shall, upon proof that the consular officer, or deponent, cannot be found in the United Kingdom, be admissible in evidence, and it shall not be necessary to prove the signature or official character of the

person appearing to have signed any such report or deposition.

(5) The wife or husband of a person charged with an offence under this section may be called as a witness either for the prosecution or defence, and without the consent of the person charged.

(6) A constable or any person authorised by a justice of the peace may take to a place of safety any person under the age of seventeen years who there is reason to believe is about to go abroad in contravention of the provisions of the last foregoing section, and a person so taken to a place of safety may be detained there until he can be restored to his relatives or until other arrangements can be made with respect to him.

Supplemental.

Byelaws.

27.—(1) A byelaw made under this Part of this Act shall not have effect until confirmed by the Secretary of State and shall not be so confirmed until at least thirty days after the local authority have published it in such manner as the Secretary of State directs.

(2) Before confirming such a byelaw the Secretary of State shall consider any objections thereto which may be addressed to him by persons affected or likely to be affected thereby, and may order a local enquiry to be held, and where such an enquiry is held, the person holding it shall receive such remuneration as the Secretary of State determines, and that remuneration and the expenses of the enquiry shall be paid by the local authority.

(3) Byelaws so made may, without prejudice to any other method of proof, be proved in the like manner as that in which byelaws made under the Public Health Act, 1875, by a local authority, not being the council of a borough, may be proved, and section one hundred and eighty-six of that Act shall apply accordingly.

38 & 39 Vict. c. 55.

Powers of entry.

28.—(1) If it is made to appear to a justice of the peace by the local authority, or by any constable, that there is reasonable cause to believe that the provisions of this Part of this Act, other than those relating to employment abroad, or of a byelaw made under the said provisions, are being contravened with

A.D. 1933.

PART II. —*cont.*

respect to any person, the justice may by order under his hand addressed to an officer of the local authority, or to a constable, empower him to enter, at any reasonable time within forty-eight hours of the making of the order, any place in or in connection with which the person in question is, or is believed to be, employed, or as the case may be, in which he is, or is believed to be, taking part in an entertainment or performance, or being trained, and to make enquiries therein with respect to that person.

(2) Any authorised officer of the local authority or any constable may at any time during the currency of a licence granted under section twenty-two or twenty-four of this Act enter any place where the person to whom the licence relates is authorised by the licence to take part in an entertainment or to be trained, and may make enquiries therein with respect to that person.

(3) Any person who obstructs any officer or constable in the due exercise of any powers conferred on him by or under this section, or who refuses to answer or answers falsely any enquiry authorised by or under this section to be made, shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds.

Savings.

29.—(1) The provisions of this Act imposing restrictions on employment or on the taking part by children in entertainments, other than those relating to employment abroad, and the provisions of any byelaws made under this Part of this Act, shall not apply in relation to a person who has attained the age of twelve years taking part in a performance, whether of the nature of an entertainment or not, which is being broadcast by the British Broadcasting Corporation, so long as the public are not admitted thereto on payment.

(2) The said provisions shall not affect the provisions of Part IV of the Education Act, 1921, with respect to school attendance or the provisions of sections ninety-three, ninety-four and ninety-five of that Act with respect to the employment of children and young persons.

(3) The said provisions shall not apply to a person detained in an approved school.

(4) The said provisions shall be in addition to and not in substitution for any enactments relating to

employment in factories, workshops, mines and quarries, or for giving effect to any international convention regulating employment.

Interpretation of Part II.

30. For the purposes of this Part of this Act and of any byelaws made thereunder—

A person who is attending a public elementary school and who attains the age of fourteen years during a school term shall not (except for the purposes of the provisions relating to employment abroad) be deemed to cease to be a child until the end of that term;

The expression "performance of a dangerous nature" includes all acrobatic performances and all performances as a contortionist;

The expression "street trading" includes the hawking of newspapers, matches, flowers and other articles, playing, singing or performing for profit, shoe-blacking and other like occupations carried on in streets or public places;

A person who assists in a trade or occupation carried on for profit shall be deemed to be employed notwithstanding that he receives no reward for his labour;

A chorister taking part in a religious service or in a choir practice for a religious service shall not, whether he receives any reward or not, be deemed to be employed; and

The expression "abroad" means outside Great Britain and Ireland.

PART III.

PROTECTION OF CHILDREN AND YOUNG PERSONS IN RELATION TO CRIMINAL AND SUMMARY PROCEEDINGS.

General Provisions as to Preliminary Proceedings.

Separation of children and young persons from adults in police stations, courts, &c.

31. Arrangements shall be made for preventing a child or young person while detained in a police station, or while being conveyed to or from any criminal court, or while waiting before or after attendance in any criminal court, from associating with an adult (not being a relative) who is charged with any offence other than an offence with which the child or young person is jointly charged, and

A.D. 1933.

PART III. —*cont.*

for ensuring that a girl (being a child or young person) shall while so detained, being conveyed, or waiting, be under the care of a woman.

Bail or detention of children and young persons arrested.

32.—(1) Where a person apparently under the age of seventeen years is apprehended, with or without warrant, and cannot be brought forthwith before a court of summary jurisdiction, a superintendent or inspector of police, or other officer of police of equal or superior rank, or the officer in charge of the police station to which he is brought, shall inquire into the case, and may release him on a recognisance being entered into by him or his parent or guardian (with or without sureties), for such an amount as will, in the opinion of the officer, secure his attendance upon the hearing of the charge, and shall so release him unless—

(*a*) the charge is one of homicide or other grave crime; or

(*b*) it is necessary in his interest to remove him from association with any reputed criminal or prostitute; or

(*c*) the officer has reason to believe that his release would defeat the ends of justice.

(2) Where a person apparently under the age of seventeen years having been apprehended is not so released as aforesaid, the officer of police shall cause him to be detained in a remand home until he can be brought before a court of summary jurisdiction, unless the officer certifies—

(*a*) that it is impracticable to do so; or

(*b*) that he is of so unruly a character that he cannot safely be so detained; or

(*c*) that by reason of his state of health or of his mental or bodily condition it is inadvisable so to detain him,

and the certificate shall be produced to the court before which he is brought.

Remand or committal to custody in remand homes.

33.—(1) Any court, on remanding or committing for trial a child or young person who is not released on bail, shall, instead of committing him to prison, commit him to custody in a remand home named in the commitment, to be there detained for the period for

which he is remanded or until he is thence delivered in due course of law:

Provided that—

(*a*) in the case of a young person it shall not be obligatory on the court so to commit him if the court certifies that he is of so unruly a character that he cannot safely be so committed, or that he is of so depraved a character that he is not a fit person to be so detained; and

(*b*) nothing in this subsection shall affect any power of a court of summary jurisdiction under section ten of the Criminal Justice Administration Act, 1914, to commit a person who has attained the age of sixteen years to prison until the next assizes or quarter sessions with a view to his being sentenced to detention in a Borstal institution. 4 & 5 Geo. 5. c. 58.

(2) A commitment under this section may be varied, or, in the case of a young person who proves to be of so unruly a character that he cannot safely be detained in such custody, or to be of so depraved a character that he is not a fit person to be so detained, revoked, by the court which made the order, or if application cannot conveniently be made to that court, by a court of summary jurisdiction having jurisdiction in the place where the court which made the order sat, and if it is revoked the young person may be committed to prison.

Attendance at court of parent of child or young person charged with an offence, &c.

34.—(1) Where a child or young person is charged with any offence or is for any other reason brought before a court, his parent or guardian may in any case, and shall if he can be found and resides within a reasonable distance, be required to attend at the court before which the case is heard or determined during all the stages of the proceedings, unless the court is satisfied that it would be unreasonable to require his attendance.

(2) Where a child or young person is arrested or taken to a place of safety, the constable by whom he is arrested or the officer of police in charge of the police station to which he is brought, or the person by whom he is taken to the place of safety, as the case may be, shall cause the parent or guardian of the child or young person, if he can be found, to be warned to attend at the court before which the child or young person will appear.

A.D. 1933.

PART III. —*cont.*

(3) For the purpose of enforcing the attendance of a parent or guardian and enabling him to take part in the proceedings and enabling orders to be made against him, rules may be made under section twenty-nine of the 42 & 43 Vict. c. 49. Summary Jurisdiction Act, 1879, for applying, with the necessary adaptations and modifications, such of the provisions of the Summary Jurisdiction Acts and the 11 & 12 Vict. c. 42. Indictable Offences Act, 1848, as appear appropriate for the purpose, and such rules may provide for a summons to a child or young person including a summons to his parent or guardian.

(4) The parent or guardian whose attendance shall be required under this section shall be the parent or guardian having the actual possession and control of the child or young person:

Provided that if that person is not the father, the attendance of the father may also be required.

(5) The attendance of the parent of a child or young person shall not be required under this section in any case where the child or young person was before the institution of the proceedings removed from the custody or charge of his parent by an order of a court.

Notice to local authority of charges against and applications relating to children and young persons.

35.—(1) Where a child or young person is to be brought before a court of summary jurisdiction, or before a justice or justices acting under the Indictable Offences Act, 1848, in respect of an offence alleged to have been committed by him, or is to be brought before a juvenile court as being in need of care or protection, the responsible person (as hereinafter defined) shall forthwith notify the day and hour when, and the nature of the charge or other grounds on which, the child or young person is to be brought before the court or justices—

(*a*) to the probation officer, or one of the probation officers, for the probation area in which the court or justices will sit; and

(*b*) to the local authority for the district in which the child or young person is resident, or, if it is not known where he is resident, to the local authority for the district, or for any one of the districts, in which the offence is alleged to have been committed or the circumstances justifying an application to the court are alleged to have arisen:

Provided that no such notification need be given to a local authority where the child or young person is charged or brought before the court by a local or poor law authority.

For the purposes of this subsection the expression "responsible person" means, in a case where the child or young person is accused of an offence, the chief officer of police, and in any other case, the person bringing the child or young person before the court.

(2) A local authority who have received a notification under the last foregoing subsection, and a local or poor law authority who themselves charge any child or young person with any offence, or bring any child or young person before a juvenile court as being in need of care or protection shall, except in cases which appear to them to be of a trivial nature, make such investigations and render available to the court such information as to the home surroundings, school record, health, and character of the child or young person and, in proper cases, as to available approved schools, as appear to them to be likely to assist the court:

Provided that a local authority shall be under no obligation to make investigations as to the home surroundings of children or young persons in any petty sessional division in which by direction of the justices or probation committee arrangements have been made for such investigations to be made by a probation officer.

General Provisions as to Proceedings in Court.

Prohibition against children being present in court during the trial of other persons.

36. No child (other than an infant in arms) shall be permitted to be present in court during the trial of any other person charged with an offence, or during any proceedings preliminary thereto, except during such time as his presence is required as a witness or otherwise for the purposes of justice; and any child present in court when under this section he is not to be permitted to be so shall be ordered to be removed:

Provided that this section shall not apply to messengers, clerks, and other persons required to attend at any court for purposes connected with their employment.

A.D. 1933.

PART III. —*cont.*

Power to clear court while child or young person is giving evidence in certain cases.

37.—(1) Where, in any proceedings in relation to an offence against, or any conduct contrary to, decency or morality, a person who, in the opinion of the court, is a child or young person is called as a witness, the court may direct that all or any persons, not being members or officers of the court or parties to the case, their counsel or solicitors, or persons otherwise directly concerned in the case, be excluded from the court during the taking of the evidence of that witness:

Provided that nothing in this section shall authorise the exclusion of bonâ fide representatives of a newspaper or news agency.

(2) The powers conferred on a court by this section shall be in addition and without prejudice to any other powers of the court to hear proceedings in camerâ.

Evidence of child of tender years.

38.—(1) Where, in any proceedings against any person for any offence, any child of tender years called as a witness does not in the opinion of the court understand the nature of an oath, his evidence may be received, though not given upon oath, if, in the opinion of the court, he is possessed of sufficient intelligence to justify the reception of the evidence, and understands the duty of speaking the truth; and his evidence, though not given on oath, but otherwise taken and reduced into writing in accordance with the provisions of section seventeen of the Indictable Offences Act, 1848, or of this Part of this Act, shall be deemed to be a deposition within the meaning of that section and that Part respectively:

Provided that where evidence admitted by virtue of this section is given on behalf of the prosecution the accused shall not be liable to be convicted of the offence unless that evidence is corroborated by some other material evidence in support thereof implicating him.

(2) If any child whose evidence is received as aforesaid wilfully gives false evidence in such circumstances that he would, if the evidence had been given on oath, have been guilty of perjury, he shall be liable on summary conviction to be dealt with as if he had been summarily convicted of an indictable offence punishable in the case of an adult with imprisonment.

Power to prohibit publication

39.—(1) In relation to any proceedings in any court which arise out of any offence against, or any

conduct contrary to, decency or morality, the court may direct that—

of certain matter in newspapers.

(*a*) no newspaper report of the proceedings shall reveal the name, address, or school, or include any particulars calculated to lead to the identification, of any child or young person concerned in the proceedings, either as being the person against or in respect of whom the proceedings are taken, or as being a witness therein;

(*b*) no picture shall be published in any newspaper as being or including a picture of any child or young person so concerned in the proceedings as aforesaid;

except in so far (if at all) as may be permitted by the direction of the court.

(2) Any person who publishes any matter in contravention of any such direction shall on summary conviction be liable in respect of each offence to a fine not exceeding fifty pounds.

Special Procedure with regard to Offences specified in First Schedule.

Warrant to search for or remove a child or young person.

40.—(1) If it appears to a justice of the peace on information on oath laid by any person who, in the opinion of the justice, is acting in the interests of a child or young person, that there is reasonable cause to suspect—

(*a*) that the child or young person has been or is being assaulted, ill-treated, or neglected in any place within the jurisdiction of the justice, in a manner likely to cause him unnecessary suffering, or injury to health; or

(*b*) that any offence mentioned in the First Schedule to this Act has been or is being committed in respect of the child or young person,

the justice may issue a warrant authorising any constable named therein to search for the child or young person, and, if it is found that he has been or is being assaulted, ill-treated, or neglected in manner aforesaid, or that any such offence as aforesaid has been or is being committed in respect of him, to take him to and detain him in a place of safety, until he can be brought before a juvenile court,

A.D. 1933.

PART III. —*cont.*

or authorising any constable to remove him with or without search to a place of safety and detain him there until he can be brought before a juvenile court.

(2) A justice issuing a warrant under this section may by the same warrant cause any person accused of any offence in respect of the child or young person to be apprehended and brought before a court of summary jurisdiction, and proceedings to be taken against him according to law.

(3) Any constable authorised by warrant under this section to search for any child or young person, or to remove any child or young person with or without search, may enter (if need be by force) any house, building, or other place specified in the warrant, and may remove him therefrom.

(4) Every warrant issued under this section shall be addressed to and executed by a constable, who shall be accompanied by the person laying the information, if that person so desires, unless the justice by whom the warrant is issued otherwise directs, and may also, if the justice by whom the warrant is issued so directs, be accompanied by a duly qualified medical practitioner.

(5) It shall not be necessary in any information or warrant under this section to name the child or young person.

Power to proceed with case in absence of child or young person.

41. Where in any proceedings with relation to any of the offences mentioned in the First Schedule to this Act, the court is satisfied that the attendance before the court of any child or young person in respect of whom the offence is alleged to have been committed is not essential to the just hearing of the case, the case may be proceeded with and determined in the absence of the child or young person.

Extension of power to take deposition of child or young person.

42.—(1) Where a justice of the peace is satisfied by the evidence of a duly qualified medical practitioner that the attendance before a court of any child or young person in respect of whom any of the offences mentioned in the First Schedule to this Act is alleged to have been committed would involve serious danger to his life or health, the justice may take in writing the deposition of the child or young person on oath, and shall thereupon subscribe the deposition and add thereto a statement of his reason for taking it and of the day when and

place where it was taken, and of the names of the persons (if any) present at the taking thereof.

(2) The justice taking any such deposition shall transmit it with his statement—

(*a*) if the deposition relates to an offence for which any accused person is already committed for trial, to the proper officer of the court for trial at which the accused person has been committed; and

(*b*) in any other case, to the clerk of the court before which proceedings are pending in respect of the offence.

Admission of deposition of child or young person in evidence.

43. Where, in any proceedings in respect of any of the offences mentioned in the First Schedule to this Act, the court is satisfied by the evidence of a duly qualified medical practitioner that the attendance before the court of any child or young person in respect of whom the offence is alleged to have been committed would involve serious danger to his life or health, any deposition of the child or young person taken under the Indictable Offences Act, 1848, or this Part of this Act, shall be admissible in evidence either for or against the accused person without further proof thereof if it purports to be signed by the justice by or before whom it purports to be taken:

Provided that the deposition shall not be admissible in evidence against the accused person unless it is proved that reasonable notice of the intention to take the deposition has been served upon him and that he or his counsel or solicitor had, or might have had if he had chosen to be present, an opportunity of cross-examining the child or young person making the deposition.

Principles to be observed by all Courts in dealing with Children and Young Persons.

General considerations.

44.—(1) Every court in dealing with a child or young person who is brought before it, either as being in need of care or protection or as an offender or otherwise, shall have regard to the welfare of the child or young person and shall in a proper case take steps for removing him from undesirable surroundings, and for securing that proper provision is made for his education and training.

A.D. 1933.

PART III. —*cont.*

(2) A court shall not order a child under the age of ten years to be sent to an approved school unless for any reason, including the want of a fit person of his own religious persuasion who is willing to undertake the care of him, the court is satisfied that he cannot suitably be dealt with otherwise.

Juvenile Courts.

Constitution of juvenile courts.

45. Courts of summary jurisdiction constituted in accordance with the provisions of the Second Schedule to this Act and sitting for the purpose of hearing any charge against a child or young person or for the purpose of exercising any other jurisdiction conferred on juvenile courts by or under this or any other Act, shall be known as juvenile courts and in whatever place sitting shall be deemed to be petty sessional courts.

Assignment of certain matters to juvenile courts.

46.—(1) Subject as hereinafter provided, no charge against a child or young person, and no application whereof the hearing is by rules made under this section assigned to juvenile courts, shall be heard by a court of summary jurisdiction which is not a juvenile court:

Provided that—

(*a*) a charge made jointly against a child or young person and a person who has attained the age of seventeen years shall be heard by a court of summary jurisdiction other than a juvenile court; and

(*b*) where a child or young person is charged with an offence, the charge may be heard by a court of summary jurisdiction which is not a juvenile court if a person who has attained the age of seventeen years is charged at the same time with aiding, abetting, causing, procuring, allowing or permitting that offence; and

(*c*) where, in the course of any proceedings before any court of summary jurisdiction other than a juvenile court, it appears that the person to whom the proceedings relate is a child or young person, nothing in this subsection shall be construed as preventing the court, if it thinks fit so to do, from proceeding with the hearing and determination of those proceedings.

(2) No direction, whether contained in this or any other Act, that a charge shall be brought before a juvenile court shall be construed as restricting the powers of any justice or justices to entertain an application for bail or for a remand, and to hear such evidence as may be necessary for that purpose.

(3) The Lord Chancellor may by rules assign to juvenile courts the hearing of any applications for orders or licences relating to children or young persons, being applications cognisable by justices, courts of summary jurisdiction, or petty sessional courts, if, in his opinion, it is desirable in the interests of the children and young persons concerned that such applications should be heard by juvenile courts.

For the purposes of this subsection, any complaint under section forty-four or section forty-five of the Education Act, 1921 (which sections relate to the making of school attendance orders and to the proceedings to be taken where such orders are disobeyed), or under section fifty-four of that Act (which relates to the making of orders requiring defective or epileptic children to be sent to suitable classes or schools) shall be deemed to be an application for an order relating to a child.

Procedure in juvenile courts.

47.—(1) Juvenile courts shall sit as often as may be necessary for the purpose of exercising any jurisdiction conferred on them by or under this or any other Act.

(2) A juvenile court shall, subject as hereinafter provided, sit either in a different building or room from that in which sittings of courts other than juvenile courts are held, or on different days from those on which sittings of such other courts are held; and no person shall be present at any sitting of a juvenile court except—

(*a*) members and officers of the court;

(*b*) parties to the case before the court, their solicitors and counsel, and witnesses and other persons directly concerned in that case;

(*c*) bonâ fide representatives of newspapers or news agencies;

(*d*) such other persons as the court may specially authorise to be present:

Provided that juvenile courts for the City of London shall sit at such place or places as the Court of the Lord Mayor and Aldermen of the City may from time to time determine.

A.D. 1933.

PART III. —*cont.*

(3) The Lord Chancellor may make rules for regulating the procedure in juvenile courts, and such of the provisions of the Summary Jurisdiction Acts and of the Acts relating to indictable offences as regulate procedure shall have effect subject to any rules so made.

Miscellaneous provisions as to powers of juvenile courts.

48.—(1) A juvenile court sitting for the purpose of hearing a charge against, or an application relating to, a person who is believed to be a child or young person may, if it thinks fit to do so, proceed with the hearing and determination of the charge or application, notwithstanding that it is discovered that the person in question is not a child or young person.

7 Edw. 7. c. 17.

(2) Where the court before which any person is bound by his recognisance under the Probation of Offenders Act, 1907, to appear is a juvenile court, the attainment by him of the age of seventeen years shall not deprive that court of jurisdiction to enforce his attendance and deal with him in respect of any failure to observe the conditions of his recognisance or of jurisdiction to vary or discharge the recognisance.

(3) When a juvenile court has remanded a child or young person for information to be obtained with respect to him, any juvenile court acting for the same petty sessional division or place—

(*a*) may in his absence extend the period for which he is remanded, so, however, that he appears before a court or a justice of the peace at least once in every twenty-one days;

(*b*) when the required information has been obtained, may deal with him finally;

and where the court by which he was originally remanded has recorded a finding that he is guilty of an offence charged against him, it shall not be necessary for any court which subsequently deals with him under this subsection to hear evidence as to the commission of that offence, except in so far as it may consider that such evidence will assist the court in determining the manner in which he should be dealt with.

(4) Notwithstanding anything in subsection (8) of section twenty of the Summary Jurisdiction Act, 1879, (which provides that an indictable offence shall not be dealt with summarily under that Act except on a day publicly appointed for the hearing of indictable offences)

a juvenile court may sit on any day for the purpose of hearing and determining a charge against a child or young person in respect of an indictable offence.

(5) A juvenile court sitting in the metropolitan police court area shall have all the powers of a metropolitan police magistrate; and for the purposes of any enactment by virtue of which any powers are exercisable—

(*a*) by a court of summary jurisdiction acting for the same petty sessional division or place as a juvenile court by which some previous act has been done; or

(*b*) by a juvenile court acting for the same petty sessional division or place as a court of summary jurisdiction by which some previous act has been done,

the metropolitan police court area shall be deemed to be the place for which all metropolitan police magistrates sitting in that area and all juvenile courts sitting in that area act.

(6) A juvenile court constituted and sitting in accordance with a determination of the Court of the Lord Mayor and Aldermen of the City of London shall have all the powers of a petty sessional court notwithstanding that the juvenile court is constituted only of the Lord Mayor or a single alderman and is not sitting in the justice room of the Mansion House or of the Guildhall.

Restrictions on newspaper reports of proceedings in juvenile courts.

49.—(1) Subject as hereinafter provided, no newspaper report of any proceedings in a juvenile court shall reveal the name, address or school, or include any particulars calculated to lead to the identification, of any child or young person concerned in those proceedings, either as being the person against or in respect of whom the proceedings are taken or as being a witness therein, nor shall any picture be published in any newspaper as being or including a picture of any child or young person so concerned in any such proceedings as aforesaid:

Provided that the court or the Secretary of State may in any case, if satisfied that it is in the interests of justice so to do, by order dispense with the requirements of this section to such extent as may be specified in the order.

A.D. 1933.

PART III. —*cont.*

(2) Any person who publishes any matter in contravention of this section shall on summary conviction be liable in respect of each offence to a fine not exceeding fifty pounds.

Juvenile Offenders.

Age of criminal responsibility.

50. It shall be conclusively presumed that no child under the age of eight years can be guilty of any offence.

Removal of disqualifications attaching to felony.

51. No conviction or finding of guilty of a child or young person shall be regarded as a conviction of felony for the purposes of any disqualification attaching to felony.

Restrictions on punishment of children and young persons.

52.—(1) A child shall not be ordered to be imprisoned or be sent to penal servitude for any offence, or be committed to prison in default of payment of a fine, damages, or costs.

(2) A young person shall not be sent to penal servitude for any offence.

(3) A young person shall not be ordered to be imprisoned for an offence, or be committed to prison in default of payment of a fine, damages, or costs, unless the court certifies that he is of so unruly a character that he cannot be detained in a remand home or that he is of so depraved a character that he is not a fit person to be so detained.

Punishment of certain grave crimes.

53.—(1) Sentence of death shall not be pronounced on or recorded against a person under the age of eighteen years, but in lieu thereof the court shall sentence him to be detained during His Majesty's pleasure, and, if so sentenced, he shall, notwithstanding anything in the other provisions of this Act, be liable to be detained in such place and under such conditions as the Secretary of State may direct.

(2) Where a child or young person is convicted on indictment of an attempt to murder, or of manslaughter, or of wounding with intent to do grievous bodily harm, and the court is of opinion that none of the other methods in which the case may legally be dealt with is suitable, the court may sentence the offender to be detained for such period as may be specified in the sentence; and where such a sentence has been passed the child or young person shall, during that period, notwithstanding anything in the other provisions of this Act, be liable to be detained in such place and on such conditions as the Secretary of State may direct.

(3) A person detained pursuant to the directions of the Secretary of State under this section shall, while so detained, be deemed to be in legal custody.

(4) Any person so detained as aforesaid may, at any time, be discharged by the Secretary of State on licence.

Such a licence may be in such form and may contain such conditions as the Secretary of State may direct, and may at any time be revoked or varied by the Secretary of State.

Where a licence has been revoked the person to whom the licence related shall return to such place as the Secretary of State may direct, and if he fails to do so may be apprehended without warrant and taken to that place.

Substitution of custody in remand home for imprisonment.

54. Where a child or young person is found guilty of an offence punishable in the case of an adult with penal servitude or imprisonment, or where a child or young person would, if he were an adult, be liable to be imprisoned in default of payment of any fine, damages, or costs, the court may, if it considers that none of the other methods in which the case may legally be dealt with is suitable, order that he be committed to custody in a remand home named in the order for such term as may be specified in the order, not exceeding the term for which he might, but for this Act, be ordered to be imprisoned or committed to prison, nor in any case exceeding one month.

Power to order parent to pay fine, &c., instead of child or young person.

55.—(1) Where a child or young person is charged with any offence for the commission of which a fine, damages, or costs may be imposed, if the court is of opinion that the case would be best met by the imposition of a fine, damages, or costs, whether with or without any other punishment, the court may in any case, and shall if the offender is a child, order that the fine, damages, or costs awarded be paid by the parent or guardian of the child or young person instead of by the child or young person, unless the court is satisfied that the parent or guardian cannot be found or that he has not conduced to the commission of the offence by neglecting to exercise due care of the child or young person.

(2) In the case of a child or young person charged with any offence, the court may order his parent or guardian to give security for his good behaviour.

A.D. 1933.
PART III.
—*cont.*

(3) An order under this section may be made against a parent or guardian who, having been required to attend, has failed to do so, but, save as aforesaid, no such order shall be made without giving the parent or guardian an opportunity of being heard.

(4) Any sums ordered under this section, or on forfeiture of any such security as aforesaid, to be paid by a parent or guardian may be recovered from him by distress or imprisonment in like manner as if the order had been made on the conviction of the parent or guardian of the offence with which the child or young person was charged.

(5) A parent or guardian may appeal against an order under this section—

(*a*) if made by a court of summary jurisdiction, to a court of quarter sessions; and

(*b*) if made by a court of assize or a court of quarter sessions, to the Court of Criminal Appeal in accordance with the Criminal Appeal Act, 1907, as if the parent or guardian against whom the order was made had been convicted on indictment, and the order were a sentence passed on his conviction.

7 Edw. 7. c. 23.

Power of other courts to remit juvenile offenders to juvenile courts.

56.—(1) Any court by or before which a child or young person is found guilty of an offence other than homicide, may, if it thinks fit, remit the case to a juvenile court acting for the place where the offender was committed for trial, or, if he was not committed for trial, to a juvenile court acting either for the same place as the remitting court or for the place where the offender resides; and, where any such case is so remitted, the offender shall be brought before a juvenile court accordingly, and that court may deal with him in any way in which it might have dealt with him if he had been tried and found guilty by that court.

(2) No appeal shall lie against an order of remission made under the last foregoing subsection, but nothing in this subsection shall affect any right of appeal against the verdict or finding on which such an order is founded, and a person aggrieved by the order of the juvenile court to which the case is remitted may appeal therefrom to quarter sessions as if he had been tried by, and had pleaded guilty before, the juvenile court.

(3) A court by which an order remitting a case to a juvenile court is made under this section may give such directions as appear to be necessary with respect to the custody of the offender or for his release on bail until he can be brought before the juvenile court, and shall cause to be transmitted to the clerk of the juvenile court a certificate setting out the nature of the offence and stating that the offender has been found guilty thereof, and that the case has been remitted for the purpose of being dealt with under this section.

Power to send juvenile offenders to approved schools or to commit them to fit persons.

57.—(1) Any court by or before which a child or young person is found guilty of an offence punishable in the case of an adult with imprisonment shall, in addition to any other powers exercisable by virtue of this or any other Act, have power—

(*a*) to order him to be sent to an approved school;

(*b*) to commit him to the care of a fit person, whether a relative or not, who is willing to undertake the care of him.

(2) Where an order is made under this section committing a child or young person to the care of a fit person, a probation order may also be made under the Probation of Offenders Act, 1907.

Power of Secretary of State to send certain juvenile offenders to approved schools.

58. The Secretary of State may by order direct that—

(*a*) a person who is under the age of eighteen years and is undergoing detention in a Borstal institution; or

(*b*) a child or young person with respect to whom he is authorised to give directions under subsection (2) of section fifty-three of this Act; or

(*c*) a young person who has been ordered to be imprisoned and has been pardoned by His Majesty on condition of his agreeing to undergo training in a school,

shall be transferred or sent to and detained in an approved school specified in the order; and any such order shall be an authority for the detention of the person to whom it relates until such date as may be specified in the order:

Provided that the date to be so specified shall be not later than that on which he will in the opinion of

A.D. 1933.

PART III. —*cont.*

the Secretary of State attain the age of nineteen years nor later—

(*a*) in the case of a person who was undergoing detention in a Borstal Institution, or was sentenced to detention under the said subsection (2), than the date on which his detention would have expired;

(*b*) in the case of a young person who has been sentenced to imprisonment and pardoned as aforesaid, than three years from the date as from which his sentence began to run.

Miscellaneous provisions as to summary proceedings against juvenile offenders.

59.—(1) The words "conviction" and "sentence" shall cease to be used in relation to children and young persons dealt with summarily and any reference in any enactment to a person convicted, a conviction or a sentence shall, in the case of a child or young person, be construed as including a reference to a person found guilty of an offence, a finding of guilt or an order made upon such a finding, as the case may be:

Provided that for the purposes of paragraph (*b*) of subsection (1) of section ten of the Criminal Justice Administration Act, 1914 (which relates to the power to send youthful delinquents to Borstal institutions), a finding that a person is guilty of an offence shall not have the effect of a conviction if he was dealt with for that offence under the Probation of Offenders Act, 1907.

(2) Where a child or young person is himself ordered by a court of summary jurisdiction to pay costs in addition to a fine, the amount of the costs so ordered to be paid shall in no case exceed the amount of the fine.

Amendments of certain enactments relating to criminal proceedings and courts of summary jurisdiction.

60.—The amendments specified in the second column of the Third Schedule to this Act shall be made in the enactments mentioned in the first column of that Schedule.

Children and Young Persons in need of Care or Protection.

Definition of "in need of care or protection."

61.—(1) For the purposes of this Act a child or young person in need of care or protection means a person who is—

(*a*) a child or young person who, having no parent or guardian or a parent or guardian unfit to

exercise care and guardianship or not exercising proper care and guardianship, is either falling into bad associations, or exposed to moral danger, or beyond control; or

(*b*) a child or young person who—

(i) being a person in respect of whom any of the offences mentioned in the First Schedule to this Act has been committed; or

(ii) being a member of the same household as a child or young person in respect of whom such an offence has been committed; or

(iii) being a member of the same household as a person who has been convicted of such an offence in respect of a child or young person; or

(iv) being a female member of a household whereof a member has committed an offence under the Punishment of Incest Act, 1908, in respect of another female member of that household;

8 Edw. 7. c. 45.

requires care or protection; or

(*c*) a child in respect of whom an offence has been committed under section ten of this Act (which relates to the punishment of vagrants preventing children from receiving education).

(2) For the purposes of this section, the fact that a child or young person is found destitute, or is found wandering without any settled place of abode and without visible means of subsistence, or is found begging or receiving alms (whether or not there is any pretence of singing, playing, performing or offering anything for sale), or is found loitering for the purpose of so begging or receiving alms, shall (without prejudice to the generality of the provisions of paragraph (*a*) of the last foregoing subsection) be evidence that he is exposed to moral danger.

Powers of juvenile courts in respect of children and young persons in need

62.—(1) If a juvenile court is satisfied that any person brought before the court under this section by a local authority, constable, or authorised person, is a child or young person in need of care or protection, the court may either—

(*a*) order him to be sent to an approved school; or

A.D. 1933.

PART III. —*cont.* of care or protection.

(*b*) commit him to the care of any fit person, whether a relative or not, who is willing to undertake the care of him; or

(*c*) order his parent or guardian to enter into a recognisance to exercise proper care and guardianship; or

(*d*) without making any other order, or in addition to making an order under either of the last two foregoing paragraphs, make an order placing him for a specified period, not exceeding three years, under the supervision of a probation officer, or of some other person appointed for the purpose by the court.

(2) Any local authority, constable or authorised person having reasonable grounds for believing that a child or young person is in need of care or protection may bring him before a juvenile court; and it shall be the duty of a local authority to bring before a juvenile court any child or young person residing or found in their district who appears to them to be in need of care or protection unless they are satisfied that the taking of proceedings is undesirable in his interests, or that proceedings are about to be taken by some other person.

(3) The Summary Jurisdiction Acts shall apply in relation to recognisances under subsection (1) of this section as they apply in relation to recognisances to be of good behaviour, and where a recognisance under the said subsection (1) is adjudged to be forfeited the court, if it thinks fit, instead of adjudging the person bound thereby to pay the sum for which he is bound, may adjudge him to pay part only of the said sum or may remit payment thereof.

(4) For the purposes of this section, the expression "authorised person" means any officer of a society which is authorised by general or special order of the Secretary of State to institute proceedings under this section, and any person who is himself so authorised.

Powers of other courts with respect to last foregoing section.

63.—(1) Any court by or before which a person is convicted of having committed in respect of a child or young person any of the offences mentioned in the First Schedule to this Act or any offence under section ten of this Act, may—

(*a*) direct that the child or young person be brought before a juvenile court with a view to that

court making such order under the last foregoing section as may be proper; or

(*b*) if satisfied that the material before the court is sufficient to enable it properly to exercise jurisdiction, may make any order which the juvenile court might make.

(2) Where any court has, under this section, directed that a child or young person be brought before a juvenile court it shall be the duty of the local authority in whose district he was residing or found to bring him before such a court under subsection (1) of the last foregoing section.

Refractory Children and Young Persons.

Power of parent or guardian to bring child or young person before juvenile court.

64. Where the parent or guardian of a child or young person proves to a juvenile court that he is unable to control the child or young person, the court, if satisfied—

(*a*) that it is expedient so to deal with the child or young person; and

(*b*) that the parent or guardian understands the results which will follow from and consents to the making of the order,

may order the child or young person to be sent to an approved school, or may order him to be placed for a specified period, not exceeding three years, under the supervision of a probation officer or of some other person appointed for the purpose by the court:

Provided that an order that the child or young person be sent to an approved school shall not be made unless the local authority within whose area he is resident agree.

Power of poor law authority to bring child or young person before juvenile court.

65. Where a poor law authority satisfy a juvenile court that any child or young person maintained in or boarded out from a school or other institution belonging to the authority is refractory, and that it is expedient that he should be sent to an approved school, the court may order him to be sent to such a school.

Supplemental.

Supervision by probation officers

66.—(1) Where a court makes an order under any of the foregoing provisions of this Part of this Act placing a child or young person under the supervision of

A.D. 1933.

PART III. —*cont.*

or other persons.

a probation officer or of some other person, that officer or person shall, while the order remains in force, visit, advise and befriend him and, when necessary, endeavour to find him suitable employment and may, if it appears necessary in his interests so to do, at any time while the order remains in force and he is under the age of seventeen years, bring him before a juvenile court, and that court may, if it thinks that it is desirable in his interests so to do, order him to be sent to an approved school or commit him to the care of a fit person, whether a relative or not, who is willing to undertake the care of him.

(2) Where the probation officer or other person named in an order as aforesaid placing a child or young person under supervision has died or is unable for any reason to carry out his duties, or where it is made to appear that it is for any reason desirable that another person should be appointed in the place of that officer or person, a juvenile court may appoint another probation officer or person to act in his place.

15 & 16 Geo. 5. c. 86.

(3) For the purposes of the provisions of the Criminal Justice Act, 1925, relating to the salaries, remuneration and expenses of probation officers and of persons not being probation officers named in probation orders, an order as aforesaid placing a child or young person under supervision shall be deemed to be a probation order.

Removal or remand of child or young person to place of safety.

67.—(1) A constable, or any person authorised by any court or by any justice of the peace, may take to a place of safety any child or young person in respect of whom any of the offences mentioned in the First Schedule to this Act has been or is believed to have been committed, or who is about to be brought before a juvenile court in accordance with any of the last five foregoing sections, and a child or young person so taken to a place of safety, and any child or young person who has taken refuge in a place of safety, may be detained there until he can be brought before a juvenile court.

(2) If a juvenile court before which any child or young person is brought is not in a position to decide whether any and, if so, what, order ought to be made under the last five foregoing sections, it may make such interim order as it thinks fit for his detention or continued detention in a place of safety, or for his committal to the care of a fit person, whether a relative or not, who is willing to undertake the care of him.

An interim order under this subsection shall not remain in force for more than twenty-eight days; but if at the expiration of that period the court deems it expedient to do so, it may make a further interim order.

Regard to be had to religious persuasion of person sent to approved school.

68.—(1) A court before making an approved school order with respect to any child or young person shall endeavour to ascertain his religious persuasion.

(2) A court, or the Secretary of State, in determining the approved school to which a person is to be sent shall, where practicable, select a school for persons of the religious persuasion to which he belongs.

(3) Where an order has been made sending a person to an approved school which is not a school for persons of the religious persuasion to which he belongs, his parent, guardian or nearest adult relative may apply—

(*a*) if the order was made by a court of summary jurisdiction, to a juvenile court acting for the same petty sessional division or place; and

(*b*) in any other case, to the Secretary of State,

to remove or send the person to an approved school for persons of his religious persuasion, and the court or Secretary of State shall, on proof of his religious persuasion and notwithstanding any declaration with respect thereto embodied in the approved school order, if any, relating to him, comply with the request of the applicant:

Provided that nothing in this subsection shall empower a court, or impose an obligation upon the Secretary of State, to comply with any such request as aforesaid unless the applicant has—

(i) made his application before, or within thirty days after, the person's arrival at the school; and

(ii) named a school for persons of the religious persuasion in question and shown to the satisfaction of the court or Secretary of State that the managers thereof have accommodation available.

Coming into force of approved school orders.

69.—(1) An approved school order may be made to take effect immediately, or its operation may be postponed to a later date specified in the order or to be subsequently specified by endorsement thereon in accordance with the provisions of this Act:

A.D. 1933.

PART III. —*cont.*

Provided that the operation of the order shall not be postponed except pending the completion of arrangements for the reception of the child or young person into a suitable school, or on account of his ill-health.

(2) If an approved school order is not made to take effect immediately, or if at the time when such an order takes effect the child or young person cannot be sent to the school, the court which made the order or any other court which would have jurisdiction to make an endorsement thereon under the next following section may make an order committing him either to custody in any place to which he might be committed on remand, or to the custody of a fit person to whose care he might be committed under this Act, and, subject as hereinafter provided, that order shall have effect until he is sent to an approved school in pursuance of the approved school order:

Provided that an order made under this subsection shall not remain in force for more than twenty-eight days, but if at the expiration of that period any such court as aforesaid considers it expedient so to do, the court may make a further order under this subsection.

Any order made under this subsection may be made in the absence of the child or young person concerned.

Contents of approved school orders.

70.—(1) Every approved school order shall contain a declaration—

(*a*) as to the age; and

(*b*) as to the religious persuasion;

of the child or young person with respect to whom it is made.

(2) Every approved school order, other than an order made on the application of a poor law authority in their capacity as such or made by reason of the commission of an offence under section ten of this Act (which relates to the punishment of vagrants preventing children from receiving education), shall name the local authority within whose district the child or young person was resident, or if that is not known, the local authority or one of the local authorities within whose district the offence was committed or the circumstances arose (as the case may be) rendering him liable to be sent to an approved school:

Provided that—

(*a*) in determining for the purposes of this subsection the place of residence of a child or young person, any period during which he resided in any place as an inmate of a school or other institution, or while boarded out under this Act by a local authority to whose care he has been committed, or in accordance with the conditions of a recognisance, shall be disregarded; and

(*b*) in the case of a child or young person not resident in England, the order shall, instead of naming a local authority, state that he was resident outside England.

(3) Every approved school order which is made to take effect immediately shall—

(*a*) specify the approved school to which the child or young person with respect to whom the order is made is first to be sent, being that one of the available schools (whether situate within the jurisdiction of the court making the order or not) which the court, after considering any representations made to it by the local authority concerned, considers to be most suitable to the case; and

(*b*) state whether the local or poor law authority, if any, named therein or the probation officer or the police authority is to be responsible for conveying to his school the child or young person with respect to whom the order is made.

(4) Where an approved school order is not made to take effect immediately, then if either the date to which its operation is postponed or the school to which the child or young person is to be sent or the authority or person who is to be responsible for conveying him, is not specified in the order, the date, school, authority, or person, shall be subsequently specified by endorsement thereon.

(5) If for any reason a child or young person with respect to whom an approved school order has been made cannot be received into the approved school specified in or endorsed upon the order, another school may be

A.D. 1933. — PART III. —*cont.*

specified by an endorsement or further endorsement thereon, as the case may be.

(6) An endorsement under the foregoing provisions of this section may be made either—

(*a*) by the court which made the approved school order; or

(*b*) if the order was made by a court of summary jurisdiction, by a juvenile court acting for the same petty sessional division or place; or

(*c*) if the order was made by a court not being a court of summary jurisdiction, by a juvenile court acting for the petty sessional division or place where the child or young person was committed for trial, or if he was not committed for trial, by a juvenile court acting for the petty sessional division or place within which he was resident;

and any such endorsement may be made in the absence of the child or young person concerned.

(7) An approved school order made on the application of a poor law authority in their capacity as such shall state that it is so made upon the application of that authority, and an approved school order made by reason of the commission of an offence under section ten of this Act (which relates to the punishment of vagrants preventing children from receiving education) shall state that it is so made.

Duration of approved school orders.

71.—(1) Where a court orders a child to be sent to an approved school, the order shall be an authority for his detention in an approved school until the expiration of a period of three years from the date of the order and, if at the expiration of that period he is under the age of fifteen years, for his further detention until he attains that age.

(2) Where a court orders a young person to be sent to an approved school, the order shall be an authority for his detention in an approved school—

(*a*) if at the date of the order he has not attained the age of sixteen years, until the expiration of a period of three years from the date of the order; and

(*b*) if at the date of the order he has attained the age of sixteen years, until he attains the age of nineteen years.

Conveyance of children or young persons to approved school.

72.—(1) The court which makes, or makes any endorsement upon, an approved school order shall cause it to be delivered to the authority or person responsible for conveying the child or young person to his school, and the person who conveys him to the school shall deliver the order to the headmaster or person for the time being in charge of the school.

(2) The court by which an approved school order is made shall cause a record in the prescribed form, embodying all such information in the possession of the court with respect to the child or young person as is in the opinion of the court material to be known by the managers of the school, to be prepared and transmitted to the headmaster or person for the time being in charge of the school.

(3) The local or poor law authority, probation officer or police authority, stated by any approved school order to be responsible for conveying a child or young person to his school, shall be responsible for conveying him there at the expense of the local or poor law authority, the probation committee, or police authority, as the case may be.

(4) Where a child or young person has been ordered to be sent to an approved school, any person who harbours or conceals him after the time has come for him to go to his school shall on summary conviction be liable to be imprisoned for any term not exceeding two months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

(5) Where a person authorised to take a child or young person to an approved school is, when the time has come for him to go to his school, unable to find him or unable to obtain possession of him, a court of summary jurisdiction may, if satisfied by information on oath that some person named in the information can produce the child or young person, issue a summons requiring the person so named to attend at the court on such day as may be specified in the summons and produce the child or young person and, if he fails to do so without reasonable excuse, he shall, in addition to any other liability to which

A.D. 1933.

PART III. —*cont.*

he may be subject under the provisions of this Act, be liable on summary conviction to a fine not exceeding five pounds.

Extension of period of detention in approved schools.

73. If the managers of an approved school are satisfied that a person whose period of detention therein is, under the foregoing provisions of this Act, about to expire needs further care or training and cannot without it be placed in suitable employment they may, if the Secretary of State consents, detain him for a further period not exceeding six months, so, however, that he is not detained beyond the date on which he will attain the age of nineteen years:

Provided that the powers conferred by this section shall not extend to a person who, having been a person undergoing detention in a Borstal Institution or sentenced to detention under subsection (2) of section fifty-three of this Act, is detained in an approved school by order of the Secretary of State.

Supervision and recall after expiration of order.

74.—(1) A person sent to an approved school shall after the expiration of the period of his detention be under the supervision of the managers of his school—

(*a*) if at the expiration of that period he has not attained the age of fifteen years, until he attains the age of eighteen years;

(*b*) if he has at the expiration of that period attained the age of fifteen years, for a period of three years or until he attains the age of twenty-one years, whichever may be the shorter period.

(2) The managers may, and, if the Secretary of State so directs, shall, by notice in writing recall to the school any person under their supervision who is at the date of the recall under the age of nineteen years:

Provided that a person shall not be so recalled, unless in the opinion of the managers, or, as the case may be, of the Secretary of State, it is necessary in his interests to recall him.

(3) A person who has been so recalled shall be released as soon as the managers think that he can properly be released, and in no case shall he be detained—

(*a*) after the expiration of a period of three months, or of such longer period not exceeding six

months as the Secretary of State may, after considering the circumstances of his case, direct; or

(*b*) after attaining the age of nineteen years.

(4) The managers shall forthwith notify the Secretary of State of the recall of any person and shall state the reasons for his recall, and when the managers release any person so recalled they shall forthwith notify the Secretary of State that they have done so.

(5) For the purposes of this Act a person who is out under supervision from an approved school shall be deemed to be under the care of the managers of the school.

Provisions as to making, duration, and effect, of orders of committal to fit persons.

75.—(1) Before making an order under this Act committing a child or young person to the care of a fit person, the court shall endeavour to ascertain the religious persuasion of the child or young person, and in selecting the person to whose care the child or young person is to be committed the court shall if possible select a person who is of the same religious persuasion as the child or young person or who gives an undertaking that he will be brought up in accordance with that religious persuasion.

(2) Every order committing a child or young person to the care of a fit person shall contain a declaration—

(*a*) as to the age; and

(*b*) as to the religious persuasion;

of the child or young person with respect to whom it is made.

(3) Every order committing a child or young person to the care of a fit person shall, subject to the provisions of this Act, remain in force until he attains the age of eighteen years.

(4) The person to whose care a child or young person is committed by any such order as aforesaid shall, while the order is in force, have the same rights and powers and be subject to the same liabilities in respect of his maintenance as if he were his parent, and the person so committed shall continue in his care notwithstanding any claim by a parent or any other person.

A.D. 1933.

PART III. —*cont.*

Committal to local and other authorities as "fit persons."

76.—(1) The local authority shall for the purposes of the provisions of this Act relating to the making of orders committing children and young persons to the care of fit persons be deemed to be a fit person and accordingly orders may be made committing children and young persons to their care and they may undertake the care of children and young persons so committed.

(2) An order may be made under this Act committing to the care of the Minister of Pensions, or of a person appointed by him, any child or young person for the care of whom it is the duty of the Minister under section nine of the War Pensions (Administrative Provisions) Act, 1918, to make provision, and accordingly in subsection (4) of that section the reference to an order made under section twenty-one or subsection (7) of section fifty-eight of the Children Act, 1908, shall be construed as including a reference to an order made under this Act.

8 & 9 Geo. 5. c. 57.

8 Edw. 7. c. 67.

PART IV.

REMAND HOMES, APPROVED SCHOOLS, AND PERSONS TO WHOSE CARE CHILDREN AND YOUNG PERSONS MAY BE COMMITTED.

Remand Homes.

Provision of remand homes by councils of counties and county boroughs.

77.—(1) It shall be the duty of the council of every county and county borough to provide for their area remand homes, which may be situate either within or without the area, and for that purpose they may arrange with the occupiers of any premises for the use thereof, or may themselves establish, or join with the council of another county or county borough in establishing, such homes.

(2) The authority or persons responsible for the management of any institution other than a prison may, subject in the case of an institution supported wholly or partly out of public funds to the consent of the Government department concerned, arrange with the council of a county or county borough for the use of the institution, or any part thereof, as a remand home upon such terms as may be agreed.

(3) A child or young person who may lawfully be remanded in custody to any place situated within a

county or county borough may be so remanded to any remand home, wherever situate, which is provided under this section for that county or county borough.

(4) Nothing in this section shall be construed as requiring a council to provide additional remand homes for their area so long as any places of detention provided under the Children Act, 1908, and available for use by the council as remand homes remain suitable for that purpose and sufficient for the needs of the area.

Provisions as to custody of children and young persons in remand homes.

78.—(1) The order or judgment in pursuance of which a child or young person is committed to custody in a remand home shall be delivered with the child or young person to the person in charge of the home and shall be a sufficient authority for his detention in the home in accordance with the tenour thereof.

(2) A child or young person while so detained and while being conveyed to and from the remand home shall be deemed to be in legal custody.

(3) The Secretary of State shall cause remand homes to be inspected, and may make rules as to the places to be used as remand homes, and as to their inspection, and as to the classification, treatment, employment and control of children and young persons detained in custody in a remand home, and for the children and young persons while so detained being visited from time to time by persons appointed in accordance with those rules.

(4) A child or young person who escapes from a remand home may be apprehended without warrant, and brought back thereto, and any person who knowingly assists or induces a child or young person so to escape or knowingly harbours or conceals a child or young person who has so escaped, or prevents him from returning, shall on summary conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding two months or to both such fine and imprisonment.

Approved Schools.

Approval of schools.

79.—(1) The managers of any school intended for the education and training of persons to be sent there in pursuance of this Act may apply to the Secretary of State to approve the school for that purpose, and the

A.D. 1933.

PART IV. —*cont.*

Secretary of State may, after making such inquiries as he thinks fit, approve the school for that purpose and issue a certificate of approval to the managers.

(2) If at any time the Secretary of State is dissatisfied with the condition or management of an approved school, or considers its continuance as an approved school unnecessary, he may by notice served on the managers withdraw the certificate of approval of the school as from a date specified in the notice, not being less than six months after the date of the notice, and upon the date so specified (unless the notice is previously withdrawn) the withdrawal of the certificate shall take effect and the school shall cease to be an approved school:

Provided that the Secretary of State, instead of withdrawing the certificate of approval, may by a notice served on the managers of the school prohibit the admission of persons to the school for such time as may be specified in the notice, or until the notice is revoked.

(3) The managers of an approved school may, on giving six months' notice in writing to the Secretary of State of their intention so to do, surrender the certificate of approval of the school, and at the expiration of six months from the date of the notice (unless the notice is previously withdrawn), the surrender of the certificate shall take effect, and the school shall cease to be an approved school.

(4) No person shall in pursuance of this Act be received into the care of the managers of an approved school after the date of the receipt by the managers of the school of a notice of withdrawal of the certificate of approval of the school or after the date of a notice of intention to surrender the certificate; but the obligations of the managers with respect to persons under their care at the respective dates aforesaid shall continue until the withdrawal or surrender takes effect.

(5) The Secretary of State shall cause any grant of a certificate of approval of an approved school, and any notice of the withdrawal of, or intention to surrender, such a certificate, to be advertised within one month from the date thereof in the London Gazette.

Provision of approved schools by

80.—(1) A local authority may, with the approval of the Secretary of State, undertake, or combine with any other local authority in undertaking, or contribute

such sums of money upon such conditions as they may think fit towards, the purchase, establishment, building, alteration, enlargement, rebuilding or management of an approved school:

Provided that, before giving his approval, the Secretary of State shall satisfy himself that the proposed expenditure is reasonable and, where it is proposed to purchase, build or establish a new school, that there is a deficiency of approved school accommodation which cannot properly be remedied in any other way.

(2) In the event of a deficiency of approved school accommodation, it shall be the duty of every local authority concerned to take, either alone or in combination with other local authorities, appropriate steps under this section to remedy the deficiency.

Classification, administration, and management.

81.—(1) The Secretary of State may classify approved schools according to the age of the persons for whom they are intended, the religious persuasion of such persons, the character of the education and training given therein, their geographical position, and otherwise as he thinks best calculated to secure that a person sent to an approved school is sent to a school appropriate to his case, or as may be necessary for the purposes of this Act.

(2) The managers of an approved school shall be bound to accept any person who in pursuance of this Act is sent or transferred to their school or otherwise to their care, unless—

(*a*) the school is a school for persons of a particular religious persuasion not being that of the person whom it is proposed to send or transfer; or

(*b*) the school is a school provided by a local authority which is not, or by a combination of local authorities no one of which is, liable to make contributions in respect of the person whom it is proposed to send or transfer; or

(*c*) the managers of the school satisfy the Secretary of State that there are already as many persons detained in that school, or, as the case may be, otherwise under their care, as is desirable.

(3) The provisions set out in the Fourth Schedule to this Act shall have effect in relation to the administration of approved schools and the treatment of persons sent thereto.

A.D. 1933.

PART IV. —*cont.*

Escapes from approved schools, &c.

82.—(1) Any person who has been ordered to be sent to an approved school and who—

(*a*) escapes from the school in which he is detained, or from any hospital, home or institution in which he is receiving medical attention; or

(*b*) being absent from his school on temporary leave of absence or on licence, runs away from the person in whose charge he is, or fails to return to the school upon the expiration of his leave, or upon the revocation of his licence; or

(*c*) being absent from his school under supervision, fails to return to the school upon being recalled,

may be apprehended without warrant, and may (any other Act to the contrary notwithstanding) be brought before a court of summary jurisdiction having jurisdiction where he is found, or where his school is situate; and that court may (notwithstanding any limitations contained in this Act upon the period during which he may be detained in an approved school) order him—

(i) if he is under the age of sixteen years, to be brought back and to have the period of his detention in the school increased by such period not exceeding six months as the court may direct; or

(ii) if he has attained the age of sixteen years, to be brought back and to have the period of his detention so increased, or to be sent to a Borstal institution for two years.

(2) Where a person is under the last foregoing subsection brought back to his school, the period of his detention shall (notwithstanding any limitations contained in this Act upon the period during which he may be detained in an approved school) be increased, over and above any increase ordered by a court, by a period equal to the period during which he was unlawfully at large.

(3) The expenses of bringing a person back to a school shall be borne by the managers of the school.

(4) If any person knowingly—

(*a*) assists or induces a person to commit any such offence as is mentioned in subsection (1) of this section; or

(*b*) harbours or conceals a person who has committed such an offence, or prevents him from returning,

he shall, on summary conviction, be liable to be imprisoned for any term not exceeding two months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

(5) If a court of summary jurisdiction is satisfied by information on oath that such an offence as aforesaid has been committed and that there is reasonable ground for believing that some person named in the information could produce the offender, the court may issue a summons requiring that person to attend at the court on such day as may be specified in the summons, and to produce the offender, and, if he fails to do so without reasonable excuse, he shall, in addition to any other liability to which he may be subject under the provisions of this Act, be liable on summary conviction to a fine not exceeding five pounds.

Power to send children and young persons from Scotland, Northern Ireland, Isle of Man and Channel Islands to approved schools in England.

83.—(1) Any person detained in a school under the law in force in Scotland or Northern Ireland may, with the consent of the Secretary of State, be transferred by order of the competent authority in Scotland or Northern Ireland to an approved school in England designated for the purpose by the Secretary of State, and after delivery to the managers of that school may be dealt with and shall be subject to the provisions of this Act as if the order sending him to the school in Scotland or Northern Ireland were an approved school order made upon the same date by a juvenile court.

(2) The Secretary of State may at any time by order direct that a person who under the last preceding subsection has been transferred to an approved school in England from a school in Scotland or Northern Ireland, shall be retransferred to the last-mentioned school, or to such other school as may be specified by the competent authority in Scotland or Northern Ireland, and thereupon the managers of that school shall receive him accordingly.

(3) If under any law of the Isle of Man or of any of the Channel Islands a court is empowered to order children or young persons under seventeen years of age

A.D. 1933.
PART IV.
—*cont.*

to be sent to approved schools in England and if by that law provision satisfactory to the Secretary of State is made—

(*a*) for the expenses of the conveyance of the children or young persons, and of their reconveyance when discharged, or released on licence;

(*b*) for contributions towards the expenses of the managers of the school; and

(*c*) for the contribution (if any) to be made by the parent or person legally liable to maintain a child or young person so sent, and the mode in which such contribution is to be raised,

a child or young person with respect to whom such an order is made by a court under the said law may be received into such approved school as the Secretary of State may direct, and after delivery to the managers of that school may be dealt with, and shall be subject to the provisions of this Act, as if the order sending him to the school were an approved school order made upon the same date by a juvenile court.

(4) A person so ordered by the competent authority in Scotland or Northern Ireland or by a court in the Isle of Man or the Channel Islands to be retransferred or sent to an approved school in England, or so ordered by the Secretary of State to be retransferred to a school in Scotland or Northern Ireland, may be conveyed in the custody of any constable or other person acting under a warrant issued by the competent authority in Scotland or Northern Ireland, or by a court in the Isle of Man or the Channel Islands, or by the Secretary of State, as the case may be, to the school to which he is ordered to be transferred, sent or retransferred, and he shall during his conveyance to that school be deemed to be in legal custody.

(5) In this section the expression "competent authority" means, in relation to Scotland, the Scottish Education Department, and, in relation to Northern Ireland, the Minister of Home Affairs for Northern Ireland, or such authority or person as may be designated by the Parliament of Northern Ireland to exercise the powers conferred by this section on the competent authority in Northern Ireland.

General provisions as to children and young persons committed to the care of fit persons.

Fit Persons.

84.—(1) The provisions of this section shall apply in relation to orders under this Act committing a child or young person to the care of a fit person, and in this section the expressions "child" and "young person" mean a person with respect to whom such an order is in force, irrespective of whether at the date of the making of the order, or at any subsequent date while the order is in force, he was, or is, a child or young person.

(2) The Secretary of State may, if he thinks fit, make rules as to the manner in which children and young persons so committed are to be dealt with and as to the duties of the persons to whose care they are committed and may cause any children or young persons committed to the care of a local authority to be visited from time to time.

(3) A local authority may board out children and young persons committed to their care for such periods and on such terms as to payment and otherwise as they think fit:

Provided that—

(*a*) the power of a local authority under this subsection shall be exercised in accordance with any rules made under the last foregoing subsection as to the persons with whom and the conditions under which children and young persons committed to the care of local authorities may be so boarded out;

(*b*) in selecting the person with whom any child or young person is to be boarded out, the local authority shall, if possible, select a person who is of the same religious persuasion as the child or young person, or who gives an undertaking that he will be brought up in accordance with that religious persuasion.

(4) The Secretary of State may at any time in his discretion discharge a child or young person from the care of the person to whose care he has been committed, and any such discharge may be granted either absolutely or subject to conditions.

(5) The Secretary of State in any case where it appears to him to be for the benefit of a child or young

A.D. 1933.

PART IV. —*cont.*

person may empower the person to whose care he has been committed to arrange for his emigration, but except with the authority of the Secretary of State no person to whose care a child or young person has been committed shall arrange for his emigration:

Provided that the Secretary of State shall not empower such a person to arrange for the emigration of a child or young person, unless he is satisfied that the child or young person consents and also that his parents have been consulted or that it is not practicable to consult them.

(6) An order committing a child or young person to the care of a fit person may, on the application of any person, be varied or revoked—

(*a*) if the order was made by a court of summary jurisdiction, by a juvenile court acting for the same petty sessional division or place;

(*b*) in any case, by a juvenile court acting for the petty sessional division or place within which the child or young person is residing.

(7) If on an application made by the parent or guardian or any near relative of a child or young person committed by any such order as aforesaid any court having power to vary or revoke the order is satisfied that he is not being brought up in accordance with his religious persuasion, the court shall, unless a satisfactory undertaking is offered by the person to whose care he has been committed, either revoke the order or vary it in such manner as the court thinks best calculated to secure that he is thenceforth brought up in accordance with that persuasion.

(8) Where the local authority are of opinion that any child or young person who has been committed to their care and who is under seventeen years of age should be sent to an approved school, they may apply to a juvenile court, and that court may, if it thinks that it is desirable in his interests to do so, order him to be sent to such a school.

Escapes from care of fit persons.

85.—(1) A child or young person who runs away from a person to whose care he has been committed under this Act may be apprehended without warrant and

brought back to that person, if he is willing to receive him, and if he is not willing to receive him, may be brought—

(*a*) if the order committing him to the care of that person was made by a petty sessional court, before a juvenile court acting for the same petty sessional division or place as that court; or

(*b*) in any other case, before a juvenile court having jurisdiction in the place where he was residing immediately before he ran away,

and that court may make any order with respect to him which the court might have made if he had been brought before it as being a child or young person who, having no parent or guardian, was beyond control.

(2) A child or young person who runs away from any person with whom he has been boarded out by a local authority under this Act may be apprehended without warrant and brought back to that person, or to such other person as the local authority direct.

(3) Any person who knowingly—

(*a*) assists or induces a child or young person to run away from a person to whose care he has been committed or with whom he has been boarded out by a local authority, under this Act; or

(*b*) harbours or conceals a child or young person who has so run away, or prevents him from returning,

shall on summary conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding two months, or to both such fine and imprisonment.

Provisions as to Contributions towards Expenses.

Contributions to be made by parents, &c., of children and young persons committed to the care

86.—(1) Where an order has been made by a court committing a child or young person to the care of a fit person, or sending him to an approved school, it shall be the duty of the following persons to make contributions in respect of him, that is to say:—

(*a*) his father or stepfather;

(*b*) his mother or stepmother;

A.D. 1933.

PART IV. —*cont.*

of fit persons, or to approved schools.

(*c*) any person who, at the date when any such order as aforesaid is made, is cohabiting with the mother of the child or young person, whether he is his putative father or not.

(2) Where the child or young person has been committed to the care of a fit person not being a local authority, contributions under this section shall be payable to that person to be applied by him in or towards the maintenance, or otherwise for the benefit, of the child or young person.

(3) Where the child or young person has been committed to the care of a local authority, or ordered to be sent to an approved school, the contributions shall be payable to the council of the county or county borough within which the person liable to make the contributions is for the time being residing, and shall be paid over by the council to the Secretary of State at such times and in such manner, but subject to such deductions in respect of the services rendered by the council, as may be prescribed.

(4) Any sums received by the Secretary of State under the last foregoing subsection shall be applied in such manner as the Treasury may direct as appropriations in aid of moneys provided by Parliament for the purposes of this Act.

Enforcement of duty of parent, &c., to make contributions.

87.—(1) Where an order has been made by a court committing a child or young person to the care of a fit person or sending him to an approved school, the court which makes it may at the same time, and any court of summary jurisdiction having jurisdiction in the place where the person to be charged is for the time being residing may subsequently at any time, make an order (hereafter in this Act referred to as a "contribution order") on any person who is under the last foregoing section liable to make contributions in respect of the child or young person, requiring him to contribute such weekly sum as the court having regard to his means thinks fit:

Provided that the total amount to be contributed for any week in respect of any one child or young person under contribution orders shall not (together with any sum payable in respect of that child or young person under an affiliation order with respect to which an order under the

next following section is in force) exceed such sum as may be prescribed, and for this purpose different sums may be prescribed in relation to different circumstances and, in the case of children sent to approved schools, in relation to different schools or classes of school.

(2) A contribution order may, if the child or young person is committed to the care of a fit person not being a local authority, be made on the application of that person and may, if the child or young person is committed to the care of a local authority, or ordered to be sent to an approved school, be made on the application—

(*a*) in the case of an order applied for at the time when the child or young person is so dealt with, of the local authority to whose care he has been committed, or who are named in the approved school order, as the case may be;

(*b*) in the case of an order applied for subsequently, of the council of the county or county borough entitled to receive contributions.

(3) A contribution order shall remain in force, in the case of a child or young person committed to the care of a fit person, so long as the order for his committal is in force, and in the case of a child or young person ordered to be sent to an approved school, until he ceases to be under the care of the managers of such a school:

Provided that no contributions shall be payable under a contribution order in respect of any period during which a person ordered to be sent to an approved school is out on licence or under supervision from such a school.

(4) Subject to the provisions of this subsection—

(*a*) a contribution order shall be enforceable as an affiliation order and the enactments relating to the enforcement of affiliation orders shall apply accordingly, subject to any necessary modifications; and

(*b*) section thirty of the Criminal Justice Administration Act, 1914 (which contains provisions as to orders for the periodical payment of money made by courts of summary jurisdiction) shall apply to every contribution order whether the court which made it was, or was not, a court of summary jurisdiction;

A.D. 1933.
PART IV.
—*cont.*

but any powers conferred by any of the enactments aforesaid on any justices or courts of summary jurisdiction shall be exercisable, and exercisable only, by justices and courts of summary jurisdiction having jurisdiction in the place where the person liable is for the time being residing.

(5) A person on whom a contribution order is made shall, if he changes his address, forthwith give notice thereof to the person who was, immediately before the change, entitled to receive the contributions and, if he fails so to do, he shall be liable on summary conviction to a fine not exceeding two pounds.

Provision as to affiliation orders.

88.—(1) Where a child or young person who is ordered by a court to be committed to the care of a fit person, or to be sent to an approved school, is illegitimate, and an affiliation order for his maintenance is in force, that court may at the same time, and any court of summary jurisdiction having jurisdiction in the place where the putative father is for the time being residing may subsequently at any time, order the payments under the affiliation order to be paid to the person who is from time to time entitled under section eighty-six of this Act to receive contributions in respect of the child or young person.

Applications for orders under this subsection may be made by the persons by whom, and in the circumstances in which, applications for contribution orders may be made.

(2) Where an order made under this section with respect to an affiliation order is in force—

(*a*) any powers conferred on any justices or courts of summary jurisdiction by the enactments relating to the enforcement of affiliation orders or by section thirty of the Criminal Justice Administration Act, 1914, shall as respects the affiliation order in question be exercisable, and exercisable only, by justices and courts of summary jurisdiction having jurisdiction in the place where the person liable is for the time being residing;

(*b*) any sums received under the affiliation order shall be applied in like manner as if they were contributions received under a contribution order;

(*c*) if the putative father changes his address, he shall forthwith give notice thereof to the person who was immediately before the change entitled to receive payments under the order and, if he fails so to do, he shall be liable on summary conviction to a fine not exceeding two pounds;

(*d*) section one of the Affiliation Orders Act, 1914 (which relates to the duties of collecting officers), shall not apply in relation to the affiliation order, but nothing in this paragraph shall affect any powers of any court under section thirty of the Criminal Justice Administration Act, 1914, to order payments to be made through an officer of the court or any other specified person or officer. 4 & 5 Geo. 5. c. 6.

(3) The making of an order under this section with respect to an affiliation order shall not, where the putative father was, at the date of the order committing the child or young person to the care of a fit person or ordering him to be sent to an approved school, cohabiting with the mother of the child or young person, be taken to relieve him from his obligation under the last two foregoing sections to make contributions in respect of the child or young person, except to the extent of any sums actually paid under the affiliation order to the person entitled to receive contributions.

(4) The making of an order under this section with respect to an affiliation order shall not extend the duration of that order, and that order shall not in any case remain in force (except for the purpose of the recovery of arrears)—

(*a*) in the case of a child or young person committed to the care of a fit person, after the order for his committal has ceased to be in force;

(*b*) in the case of a child or young person ordered to be sent to an approved school, after he has been released from his school, either absolutely, or on licence or under supervision:

Provided that, where an affiliation order would, but for the provisions of this subsection have continued in force, the mother, or any person entitled to make an application for an order under section three of the Affiliation Orders Act, 1914, may apply to a court of

A.D. 1933.

PART IV. —*cont.*

summary jurisdiction having jurisdiction in the place where she or he is for the time being residing, for an order that the affiliation order may be revived, and that payments thereunder may until the expiration thereof be made to the applicant at such rate (not exceeding the maximum rate allowed by the law in the case of affiliation orders) as may be proper, and the court may make such an order accordingly, and where such an order is so made, any power to vary, revoke or again revive the affiliation order or any part thereof, being a power which would but for the provisions of this subsection be vested in the court which originally made the affiliation order, shall be exercisable, and exercisable only, by the court which made the order under this subsection.

Miscellaneous provisions as to contribution orders.

89.—(1) The Secretary of State may in his discretion remit the whole or any part of any payment ordered under either of the two last foregoing sections to be made to a person entitled to receive contributions thereunder.

(2) Where, by virtue of an order made under either of the two last foregoing sections, any sum is payable to the council of a county or county borough, the council of the county or county borough in which the person liable under the order is for the time being residing shall be entitled to receive and give a discharge for, and, if necessary, enforce payment of, any arrears accrued due under the order, notwithstanding that those arrears may have accrued at a time when he was not resident in that county or county borough.

(3) In any proceedings under either of the two last foregoing sections a certificate purporting to be signed by the clerk to a council for the time being entitled to receive contributions, or by some other officer of the council duly authorised in that behalf, and stating that any sum due to the council under an order is overdue and unpaid shall be evidence of the facts stated therein.

(4) Nothing in this or in the three last foregoing sections shall apply in relation to an approved school order made on the application of a poor law authority in their capacity as such, but the sending of a child or young person to an approved school under such an order shall not affect any maintenance order made under section nineteen of the Poor Law Act, 1930, or any

20 & 21 Geo. 5. c. 16.

power of the poor law authority to obtain such an order, and for the purposes of the enactments relating to affiliation orders, he shall, while under the care of the managers of an approved school, be deemed to be still in receipt of relief.

Contributions by local authorities in respect of persons sent to approved schools.

90.—(1) Subject to the provisions of this section, the local authority named in an approved school order as being the authority within whose district the person to whom the order relates was resident, or within whose district the offence was committed, or the circumstances arose rendering him liable to be sent to an approved school, shall make in respect of him, throughout the time during which he is under the care of the managers of an approved school, such contributions to the expenses of the managers of his school as may be prescribed and for this purpose different contributions may be prescribed in relation to different circumstances and in relation to different schools or classes of school.

(2) A court by which an approved school order is made shall cause a copy thereof to be served forthwith on the local authority named in the order, and if that authority desire to contend that the person to whom the order relates was resident in the district of some other local authority or was resident outside England they may, by notice in writing given at any time within three months after the service upon them of the order, appeal—

(*a*) if the order was made by a petty sessional court, to a court of summary jurisdiction acting for the same petty sessional division or place; and

(*b*) if the order was made by a court which was not a petty sessional court, to a court of summary jurisdiction having jurisdiction in the place where that court sat, or in the place from which the person to whom the order relates was committed for trial,

and if, upon the hearing of the appeal, the court is satisfied that the person to whom the order relates was resident in the district of that other local authority, or was resident outside England, the court may by order vary the approved school order by substituting therein the name of that other authority or, as the case may

A.D. 1933.

PART IV. —*cont.*

be, a statement that the said person was resident outside England.

Notice of any appeal under this subsection shall be given to the other local authority concerned, if any, and to the clerk of the court, and the clerk of the court shall give to the parties to the appeal fourteen days' notice of the date fixed by the court for the hearing thereof.

(3) Any person aggrieved by an order made under the last foregoing subsection, or by a refusal to make such an order, may appeal to quarter sessions, and, in relation to an appeal from such a refusal, the refusal shall be deemed to be an order.

(4) An order made under this section by a court of summary jurisdiction or by a court of quarter sessions shall have effect retrospectively as from the making of the approved school order, and all necessary payments by way of adjustment shall be made accordingly.

(5) The foregoing provisions of this section shall not apply in relation to an approved school order which—

(*a*) is made on the application of a poor law authority in their capacity as such; or

(*b*) is made by reason of the commission of an offence under section ten of this Act (which relates to the punishment of vagrants preventing children from receiving education); or

(*c*) relates to a child or young person stated in the order to have been resident outside England,

but in the first mentioned case the poor law authority on whose application the order is made shall, throughout the periods during which the child or young person belongs to either of the following classes of persons, that is to say—

(i) persons under the care of the managers of an approved school, not being persons out on licence or under supervision;

(ii) persons out on licence or under supervision from an approved school,

make such contributions in respect of him to the expenses of the managers of his school as the Secretary of State may determine to be reasonable, regard being had to the average expenses of the managers (including

establishment and administrative expenses) fairly attributable to persons belonging to the class in question.

(6) In determining for the purposes of this section the place of residence of a child or young person, any period during which he resided in any place as an inmate of a school or other institution, or while boarded out under this Act by a local authority to whose care he has been committed, or in accordance with the conditions of a recognisance, shall be disregarded.

Variation of trusts for maintenance of child or young person.

91.—(1) Where a child or young person is by an order of any court made under this Act removed from the care of any person, and that person is entitled under any trust to receive any sum of money in respect of the maintenance of the child or young person, the court may order the whole or any part of the sums so payable under the trust to be paid to any person to whose care the child or young person is committed, to be applied by that person for the benefit of the child or young person in such manner as, having regard to the terms of the trust, the court may direct.

(2) An appeal shall lie from an order of a court of summary jurisdiction under this section to quarter sessions.

PART V.

HOMES SUPPORTED BY VOLUNTARY CONTRIBUTIONS.

Definition of voluntary homes.

92. In this Part of this Act the expression "voluntary home" means any home or other institution for the boarding, care, and maintenance of poor children or young persons, being a home or other institution supported wholly or partly by voluntary contributions, but does not include any institution, house, or home certified or approved by the Board of Control under the Mental Deficiency Acts, 1913 to 1927, unless children or young persons who are not mental defectives within the meaning of those Acts are received therein.

Notification of particulars with respect to voluntary homes.

93.—(1) It shall be the duty of the person in charge of any voluntary home to send the prescribed particulars with respect to the home to the Secretary of State within three months after the commencement of this Act, or in the case of a home established after the commencement of this Act within three months from the establishment

A.D. 1933.

PART V. —*cont.*

of the home and to send such particulars in every subsequent year before such date as may be prescribed.

(2) If default is made in sending the prescribed particulars with respect to any voluntary home in accordance with the requirements of this section, the person in charge of the home shall, on summary conviction, be liable to a fine not exceeding five pounds and to a further fine not exceeding twenty shillings in respect of each day during which the default continues after conviction.

Inspection of voluntary homes.

94.—(1) The Secretary of State may cause any voluntary home to be inspected from time to time, unless the home is one which is, as a whole, otherwise subject to inspection by, or under the authority of, a Government department.

(2) The Secretary of State may, with the consent of the council of any county, county borough, or county district, appoint officers of that council to conduct inspections under this section on his behalf.

(3) Any person appointed by the Secretary of State to inspect any voluntary home shall have power to enter the home and to make such examinations into the state and management thereof and the condition and treatment of the children and young persons therein as he thinks requisite, and any person who obstructs him in the execution of his duties shall be liable on summary conviction to a fine not exceeding five pounds, and a refusal to allow a person so appointed to enter the home shall, for the purposes of section forty of this Act (which relates to search warrants) be deemed to be a reasonable cause to suspect that a child or young person in the home is being neglected in a manner likely to cause him unnecessary suffering or injury to health.

Control over voluntary homes.

95.—(1) If the Secretary of State is satisfied that the management of any voluntary home, or the accommodation provided for, or the treatment of, the children and young persons therein, is such as to endanger their welfare, he may serve upon the persons responsible for the management of the home such general or special directions with respect to the matters aforesaid, or any of them, as he thinks expedient for the welfare of the children and young persons in the home.

A direction under this subsection—

(*a*) may be served on the persons responsible for the management of a home by being delivered personally to any one of them, or by being sent, by post or otherwise, in a letter addressed to them or any of them at the home;

(*b*) may be varied by a subsequent direction, or withdrawn by the Secretary of State.

(2) Where any such direction is not complied with, a court of summary jurisdiction having jurisdiction in the place where the home is situate may, on the complaint of any person appointed for the purpose by the Secretary of State, cause a summons to be served upon the person in charge of the home and upon such other persons as the court may direct, and upon the hearing of the summons may, if the court thinks fit, make an order for the removal of all children and young persons from the home:

Provided that—

(*a*) such an order shall not be made unless the court is satisfied that the welfare of some of the children or young persons is endangered;

(*b*) the court may, if it thinks fit, order that the direction shall be deemed to be modified to such extent as may be specified in the order and the direction shall have effect accordingly.

(3) An order for the removal of all children and young persons from a voluntary home shall operate as an authority to any person named in the order, and to any constable, to enter the home and to remove the children and young persons therein to a place of safety; and where any persons are so removed, it shall be the duty of the local authority to maintain them in a place of safety until they can be restored to their relatives, or until other arrangements have been made with respect to them.

(4) Where an order has been made for the removal of all children and young persons from a voluntary home, the home shall not be used for the reception of children or young persons without the consent of the Secretary of State, and any person who knowingly

A.D. 1933.

PART V. —*cont.*

permits it to be so used shall, on summary conviction, be liable to a fine not exceeding five pounds and to a further fine not exceeding twenty shillings in respect of each day during which the user continues after conviction.

PART VI.

SUPPLEMENTAL.

Local Authorities.

Provisions as to local authorities.

96.—(1) Subject to the modifications hereinafter contained as to the City of London, where any powers or duties are by this Act conferred or imposed on local authorities (by that description), those powers and duties shall, as respects children, be powers and duties of local education authorities for elementary education and, as respects other persons, be powers and duties of councils of counties and county boroughs:

Provided that—

(*a*) the attainment of the age of fourteen years by a person who has previously been ordered to be sent to an approved school, or to be committed to the care of a fit person, shall not divest or relieve any local education authority for elementary education of any powers or duties in respect of him, or confer or impose any powers or duties in respect of him upon the council of any county or county borough;

(*b*) the council of an urban district (whether a borough or not) who have under the Education Act, 1921, or the Acts repealed by that Act, relinquished in favour of the council of the county all their powers and duties as a local education authority for elementary education, shall for the purposes of this Act be deemed not to be a local education authority for elementary education, and their district shall for the purposes of this Act be deemed to be part of the area of the county council.

(2) A county council may arrange with the councils of urban districts, whether boroughs or not, within the county which are local education authorities for elementary education for the exercise and performance by those councils within their respective areas of such of the

powers and duties of the county council under this Act and on such terms as to payment and otherwise, as may be agreed.

An arrangement under this subsection may provide for the exercise and performance of powers and duties by the urban district council either instead of, or as agents for, the county council, but notwithstanding anything in any such arrangement every county council shall remain accountable to the Secretary of State for all contributions paid in their county by parents and other persons in respect of persons committed to the care of local authorities or ordered to be sent to approved schools.

(3) Expenses incurred by a local authority in connection with powers and duties which are, under this Act, exercised and performed by them as local education authorities for elementary education shall be defrayed as expenses of elementary education under the Education Act, 1921.

(4) Expenses incurred under this Act by the council of a county or county borough, exclusive of any expenses to be defrayed under the last foregoing subsection as expenses of elementary education under the Education Act, 1921, shall be defrayed—

(*a*) in the case of expenses incurred by the council in their capacity of poor law authority, as expenses of administering the Poor Law Act, 1930; and

(*b*) in any other case, as expenses for general county purposes or, as the case may be, out of the general rate.

(5) A local authority may, for the purposes of their functions under this Act, acquire, dispose of, or otherwise deal with land—

(*a*) in the case of a county council, in like manner as for the purposes of their other functions, and subsection (3) of section sixty-four and section sixty-five of the Local Government Act, 1888, shall apply accordingly; 51 & 52 Vict. c. 41.

(*b*) in the case of the council of a county borough or urban district, in like manner as for the purposes of the Public Health Act, 1875, and

A.D. 1933.

PART VI. —*cont.*

sections one hundred and seventy-five to one hundred and seventy-eight of that Act shall apply accordingly.

(6) A local authority may borrow for the purposes of this Act—

2 & 3 Geo. 5. c. cv.

(*a*) in the case of the London County Council, under and in accordance with the London County Council (Finance Consolidation) Act, 1912, as amended by any subsequent enactment, and in the case of any other county council, under and in accordance with section sixty-nine of the Local Government Act, 1888, as amended by the Local Government Act, 1929; and

19 & 20 Geo. 5. c. 17.

(*b*) in the case of the council of a county borough or urban district, as for the purposes of the Public Health Acts, 1875 to 1926.

(7) Subject to the provisions of section four of the Education Act, 1921 (which require certain matters to be referred to education committees) a local authority may refer to a committee appointed for the purposes of this Act, or to any committee appointed for the purposes of any other Act, any matter relating to the exercise by the authority of any of their powers under this Act and may delegate any of the said powers (other than any power to borrow money) to any such committee.

(8) A local authority, or a committee to whom any powers of a local authority under this Act have been delegated, may by resolution empower the clerk or the chief education officer of the authority to exercise in the name of the authority in any case which appears to him to be one of urgency any powers of the authority or, as the case may be, of the committee with respect to the institution of proceedings under this Act.

Modifications of last foregoing section as to City of London.

97. The last foregoing section shall, in its application to the City of London, have effect subject to the modifications that the powers and duties of a local authority under this Act as respects young persons, and as respects street trading and employment, shall be powers and duties of the Common Council and any expenses of the Common Council shall be defrayed out of the general rate:

Provided that—

(*a*) the powers and duties of a local authority with respect to the granting of licences for children to take part in entertainments shall be powers and duties of the London County Council in their capacity as local education authority for elementary education; and

(*b*) nothing in this section shall exempt the City of London from the liability to contribute towards the expenses incurred by the London County Council as local authority under this Act, but the London County Council shall in each year repay to the Common Council any contributions paid by the Common Council in respect of persons under the care of the managers of an approved school.

Institution of proceedings by local or poor law authorities.

98.—(1) A local authority or a poor law authority may institute proceedings for any offence under this Act, or under Part I of the Children Act, 1908.

(2) Any such authority may appear by their clerk or other officer duly authorised in that behalf in any proceedings instituted by them under this Act.

Supplementary Provisions as to Legal Proceedings.

Presumption and determination of age.

99.—(1) Where a person, whether charged with an offence or not, is brought before any court otherwise than for the purpose of giving evidence, and it appears to the court that he is a child or young person, the court shall make due inquiry as to the age of that person, and for that purpose shall take such evidence as may be forthcoming at the hearing of the case, but an order or judgment of the court shall not be invalidated by any subsequent proof that the age of that person has not been correctly stated to the court, and the age presumed or declared by the court to be the age of the person so brought before it shall, for the purposes of this Act, be deemed to be the true age of that person, and, where it appears to the court that the person so brought before it has attained the age of seventeen years, that person shall for the purposes of this Act be deemed not to be a child or young person.

A.D. 1933.

PART VI. —*cont.*

(2) Where in any charge or indictment for any offence under this Act or any of the offences mentioned in the First Schedule to this Act, except an offence under the Criminal Law Amendment Act, 1885, it is alleged that the person by or in respect of whom the offence was committed was a child or young person or was under or had attained any specified age, and he appears to the court to have been at the date of the commission of the alleged offence a child or young person, or to have been under or to have attained the specified age, as the case may be, he shall for the purposes of this Act be presumed at that date to have been a child or young person or to have been under or to have attained that age, as the case may be, unless the contrary is proved.

(3) Where, in any charge or indictment for any offence under this Act or any of the offences mentioned in the First Schedule to this Act, it is alleged that the person in respect of whom the offence was committed was a child or was a young person, it shall not be a defence to prove that the person alleged to have been a child was a young person or the person alleged to have been a young person was a child in any case where the acts constituting the alleged offence would equally have been an offence if committed in respect of a young person or child respectively.

(4) Where a person is charged with an offence under this Act in respect of a person apparently under a specified age it shall be a defence to prove that the person was actually of or over that age.

Evidence of wages of defendant.

100. In any proceedings under this Act a copy of an entry in the wages book of any employer of labour, or if no wages book be kept a written statement signed by the employer or by any responsible person in his employ, shall be evidence that the wages therein entered or stated as having been paid to any person, have in fact been so paid.

Application of Summary Jurisdiction Acts.

101.—(1) Subject to the provisions of this Act, all orders of a court of summary jurisdiction, whether a petty sessional court or not, under this Act shall be made, and all proceedings in relation to any such orders shall be taken, in manner provided by the Summary

Jurisdiction Acts, and the power of making rules under section twenty-nine of the Summary Jurisdiction Act, 1879, shall extend to making rules for regulating the procedure of courts of summary jurisdiction under this Act and matters incidental thereto.

(2) The provisions of section twenty-nine of the Summary Jurisdiction Act, 1879, with respect to the laying of rules before Parliament shall apply in relation to rules made by the Lord Chancellor under this Act as they apply in relation to rules made by him under the said section.

Appeals to quarter sessions.

102.—(1) Appeals to quarter sessions from orders of a court of summary jurisdiction under this Act may be brought in the following cases and by the following persons, that is to say—

(*a*) in the case of an order committing a child or young person to the care of a fit person, requiring a child or young person to be sent to an approved school, or placing a child or young person under the supervision of a probation officer or other person, by the child or young person or his parent or guardian on his behalf;

(*b*) in the case of an order requiring a person to enter into a recognisance to exercise proper care and guardianship over a child or young person, by the person required to enter into the recognisance;

(*c*) in the case of an order requiring a person to contribute in respect of a child or young person, by the person required to contribute;

(*d*) in the case of an order requiring all or any part of the payments accruing due under an affiliation order to be paid to some other person, by the person who would but for the order be entitled to the payments;

(*e*) in the case of an order requiring the owner of an automatic machine for the sale of tobacco or the person on whose premises such a machine is kept, to take precautions to prevent the machine

A.D. 1933.

PART VI. —*cont.*

being extensively used by persons apparently under the age of sixteen years or to remove the machine, by any person aggrieved;

(*f*) in the case of an order under subsection (2) of section ninety-five of this Act directing the removal of children and young persons from a voluntary home or, in the case of a refusal to make such an order, by any person aggrieved,

and, in relation to an appeal from a refusal to make an order under the said subsection (2), the refusal shall be deemed to be an order.

(2) Nothing in this section shall be construed as affecting the rights of appeal to quarter sessions conferred by sections fifty-five, fifty-six, ninety, and ninety-one of this Act or any other right of appeal conferred by this or any other Act.

Supplementary Provisions as to Secretary of State.

Power of Secretary of State to appoint inspectors.

103. The Secretary of State may appoint for the purposes of the enactments relating to children and young persons a chief inspector, and such number of inspectors to act under the direction of the chief inspector as the Treasury may approve, and may pay to the persons so appointed such remuneration and allowances as with the consent of the Treasury he may determine, and they shall perform such duties as the Secretary of State may from time to time direct.

Exchequer grants and expenses of Secretary of State.

104.—(1) There shall be paid out of money provided by Parliament—

(*a*) such sums on such conditions as the Secretary of State with the approval of the Treasury may recommend towards—

(i) the expenses of the managers of an approved school;

(ii) the expenses of a local authority in respect of children and young persons committed to their care;

(iii) the expenses of a council of a county or county borough in respect of remand homes;

(*b*) any sums by which any education grants under any other Act are increased by reason of the additional powers and duties conferred or imposed by this Act upon local education authorities for elementary education;

(*c*) any expenses incurred by the Secretary of State in the administration of this Act.

(2) The conditions on which any sums are paid under this section towards the expenses incurred in connection with the provision of a site for, or with the erection, enlargement, improvement or repair of, an approved school, may include conditions for securing the repayment in whole or in part of the sums paid in the event of the school ceasing to be an approved school, and, notwithstanding anything in the constitution of the school or of the managers thereof, or in the trusts, if any, to which the property of the school or of the managers is subject, the managers and any persons who are trustees of any of the said property may accept those sums on those conditions, and execute any instrument required for carrying into effect those conditions, and shall be bound by those conditions and by any instrument so executed and have power to fulfil the conditions and the obligations created by the instrument.

General.

Variation of Orders in Council.

105. An Order in Council under this Act may be revoked or varied by any subsequent Order in Council.

Provisions as to documents, &c.

106.—(1) An order or other act of the Secretary of State under this Act may be signified under the hand of the Secretary of State or an Under-Secretary of State or an Assistant Under-Secretary.

(2) A document purporting to be a copy—

(*a*) of an order made by a court under or by virtue of any of the provisions contained in sections fifty-six, fifty-seven and sixty-two to ninety of this Act or in the Fourth Schedule to this Act; or

(*b*) of an order made after the commencement of this Act under section forty-five of the Education Act, 1921, sending a person to an

A.D. 1933.

PART VI. —*cont.*

approved school or committing him to the care of a fit person; or

(*c*) of an affiliation order referred to in an order under section eighty-eight of this Act,

shall, if it purports to be certified as a true copy by the clerk of the court, be evidence of the order.

(3) The production of a copy of the London Gazette containing a notice of the grant, or of the withdrawal or surrender, of a certificate of approval of an approved school shall be sufficient evidence of the fact of a certificate having been duly granted to the school named in the notice, or of the withdrawal or surrender of such a certificate, and the grant of a certificate of approval of an approved school may also be proved by the production of the certificate itself, or of a document purporting to be a copy of the certificate and to be authenticated as such by an Under-Secretary of State or Assistant Under-Secretary.

(4) Any notice or other document required or authorised by this Act to be served on the managers of an approved school may, if those managers are a local authority or a joint committee representing two or more local authorities, be served either personally or by post upon their clerk, and in any other case, may be served either personally or by post upon any one of the managers, or their secretary, or the headmaster of the school.

(5) An order, licence, or other document may be authenticated on behalf of the managers of an approved school, if they are a local authority or a joint committee representing two or more local authorities, by the signature of their clerk or some other officer of the local authority duly authorised in that behalf, and in any other case, by the signature of one of the managers or their secretary, or of the headmaster.

Interpretation.

107.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say,—

"Approved school" means a school approved by the Secretary of State under section seventy-nine of this Act;

"Approved school order" means an order made by a court sending a child or young person to an approved school;

"Chief officer of police" means as regards the city of London, the Commissioner of the City Police, as regards other parts of England has the same meaning as in the Police Act, 1890, as regards Scotland has the same meaning as in the Police (Scotland) Act, 1890, and as regards Northern Ireland means a district inspector of the Royal Ulster Constabulary; 53 & 54 Vict. c. 45. 53 & 54 Vict. c. 67.

"Child" means a person under the age of fourteen years;

"Guardian," in relation to a child or young person, includes any person who, in the opinion of the court having cognisance of any case in relation to the child or young person or in which the child or young person is concerned, has for the time being the charge of or control over the child or young person;

"In need of care or protection" has the meaning assigned to it by section sixty-one of this Act;

"Intoxicating liquor" means any fermented, distilled or spirituous liquor which cannot according to any law for the time being in force be legally sold without a licence from the Commissioners of Customs and Excise;

"Legal guardian" in relation to a child or young person, means a person appointed, according to law, to be his guardian by deed or will, or by order of a court of competent jurisdiction;

"Managers," in relation to an approved school established or taken over by a local authority or by a joint committee representing two or more local authorities, means the local authority or the joint committee as the case may be, and in relation to any other approved school, means the persons for the time being having the management or control thereof:

"Metropolitan police court area" means the area consisting of the police court divisions for the time being constituted under the Metropolitan Police Courts Acts, 1839 and 1840;

"Place of safety" means any remand home, workhouse, or police station, or any hospital, surgery, or any other suitable place, the occupier of

A.D. 1933.

PART VI. —*cont.*

which is willing temporarily to receive a child or young person;

"Police authority" means as respects the city of London, the common council, and elsewhere has the same meaning as in the Police Act, 1890;

"Poor law authority" means the council of a county or county borough and includes also a joint committee of two or more such councils established under section three of the Poor Law Act, 1930;

"Prescribed" means prescribed by regulations made by the Secretary of State;

"Public place" includes any public park, garden, sea beach or railway station, and any ground to which the public for the time being have or are permitted to have access, whether on payment or otherwise;

"Street" includes any highway and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not;

"Young person" means a person who has attained the age of fourteen years and is under the age of seventeen years.

(2) References in this Act to findings of guilty and findings that an offence has been committed shall be construed as including references to pleas of guilty and admissions that an offence has been committed.

(3) References in this Act to any enactment or to any provision in any enactment shall, unless the context otherwise requires, be construed as references to that enactment or provision as amended by any subsequent enactment including this Act.

Transitory provisions.

52 & 53 Vict. c. 63.

22 & 23 Geo. 5. c. 46.

108.—(1) Without prejudice to the provisions of the Interpretation Act, 1889, with respect to repeals, the transitory provisions set out in the Fifth Schedule to this Act shall have effect for the purposes of the transition to the provisions of this Act from the provisions of the enactments repealed by the Children and Young Persons Act, 1932, and by this Act.

(2) References in any Act to places of detention provided under section one hundred and eight of the Children Act, 1908, shall be construed as references to remand homes provided under this Act.

(3) References in any Act or other document to reformatory schools or industrial schools and to youthful offenders and children sent thereto or detained therein shall be construed as including references to approved schools and to children and young persons sent thereto or detained therein, and references in any Act or other document to orders committing a child or young person to the care of a fit person under any of the provisions of the Children Act, 1908, shall be construed as including references to orders of the like nature made under this Act.

(4) References in any Act or other document to juvenile courts under the Children Act, 1908, shall be construed as including references to such courts under this Act.

(5) References in any Act or other document to any enactment repealed and re-enacted with or without modifications by this Act (except references in Part VI of the Children Act, 1908, or Part VI of the Children and Young Persons Act, 1932) shall be construed as including references to the corresponding provision of this Act.

(6) The reference in the First Schedule to this Act to any offence under sections one, two, three, eleven or twenty-three of this Act shall be construed as including a reference to any offence under the Dangerous Performances Acts, 1879 and 1897, or under Part II of the Children Act, 1908.

Short title, commencement, extent and repeals.

109.—(1) This Act may be cited as the Children and Young Persons Act, 1933.

(2) This Act, except section nineteen thereof, shall come into operation on the first day on which, by virtue of orders made by the Secretary of State under subsection (3) of section ninety of the Children and Young Persons Act, 1932, all the provisions of that Act, except section fifty-one thereof, will be in operation in England.

(3) Save as therein otherwise expressly provided, this Act shall not extend to Scotland or Northern Ireland.

(4) The enactments mentioned in the Sixth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

A.D. 1933.

SCHEDULES.

FIRST SCHEDULE.

Sections 13, 14, 15, 40, 41, 42, 43, 63, 67, 99 and 108.

OFFENCES AGAINST CHILDREN AND YOUNG PERSONS, WITH RESPECT TO WHICH SPECIAL PROVISIONS OF THIS ACT APPLY.

The murder or manslaughter of a child or young person.

Infanticide.

Any offence under sections twenty-seven, fifty-five, or fifty-six of the Offences against the Person Act, 1861, and any offence against a child or young person under sections five, forty-two, forty-three, fifty-two or sixty-two of that Act, or under the Criminal Law Amendment Act, 1885.

24 & 25 Vict. c. 100.

Any offence under the Punishment of Incest Act, 1908, in respect of a child or young person.

Any offence under sections one, two, three, four, eleven or twenty-three of this Act.

Any other offence involving bodily injury to a child or young person.

SECOND SCHEDULE.

Section 45.

CONSTITUTION OF JUVENILE COURTS.

Outside Metropolitan Areas.

1.—(1) The provisions of this paragraph shall have effect with respect to juvenile courts outside the metropolitan police court area and the City of London.

(2) Subject to the provisions of the next following sub-paragraph, a panel of justices specially qualified for dealing with juvenile cases shall be formed for the purposes of this Act in every petty sessional division, and no justice shall be qualified to sit as a member of a juvenile court unless he is a member of such a panel.

(3) The Secretary of State, after considering any representations made to him by the justices of the petty sessional divisions concerned, may by order direct that there shall be only one panel for any two or more petty sessional divisions and may by the same or a subsequent order provide for sittings of juvenile courts constituted from that panel being held at such places, whether within or without the petty sessional division for which the court is for the time being acting, as may be specified in the order.

An order under this sub-paragraph may contain such supplemental, incidental and consequential provisions as appear to the Secretary of State to be necessary or proper for the purposes of the order, and may be varied or revoked by a subsequent order.

(4) Rules made by the Lord Chancellor shall provide—

(*a*) for the formation and periodical revision of panels of justices;

(*b*) for limiting the number of justices who may sit as members of any juvenile court, and for the manner in which they are to be selected;

(*c*) for one of the justices acting as chairman of the court and for the manner in which the chairman is to be selected.

In Metropolitan Police Court Area.

2.—(1) His Majesty may by Order in Council specify as respects the metropolitan police court area the places (which, notwithstanding anything in the Metropolitan Police Courts Acts, 1839 and 1840, may be places other than police courts) in which juvenile courts are to sit, and assign as a division to each such place such portion of that area as may be specified in the Order.

(2) Every juvenile court in the metropolitan police court area shall be constituted of a metropolitan police magistrate nominated by the Secretary of State to act as chairman of juvenile courts within the said area and two justices of the peace for the county of London, one of whom shall be a woman, and both of whom shall be selected, in such manner as may be directed by Order in Council, from a panel of such justices nominated from time to time by the Secretary of State:

Provided that—

(*a*) if for special reasons the Secretary of State considers it advisable so to do, he may nominate such a justice of the peace as aforesaid to act as a chairman of juvenile courts within the said area; and

A.D. 1933.

2ND SCH. —*cont.*

(*b*) if at any time, by reason of illness or other emergency, no person so nominated is available to act as chairman of a juvenile court, any metropolitan police magistrate although not so nominated, or, with the consent of the Secretary of State, any justice of the peace selected from the panel, may act temporarily as chairman; and

(*c*) where it appears to the chairman that the court cannot without adjournment be fully constituted, and that the adjournment would be inexpedient in the interests of justice, he may sit with one justice selected from the panel (whether a man or a woman) or, if he is a metropolitan police magistrate, may sit alone.

(3) The Secretary of State, in nominating the chairmen of juvenile courts and the members of a panel, shall have regard to the previous experience of the persons available and their special qualifications for dealing with juvenile cases; and every such nomination shall be for a specified period and shall be revocable by the Secretary of State.

(4) An Order in Council made under this paragraph may contain such supplemental, incidental and consequential provisions as appear to His Majesty in Council to be necessary or proper for the purposes of the Order.

In the City of London.

3. Juvenile courts for the City of London shall be constituted in such manner as the Court of the Lord Mayor and Aldermen of the City may from time to time determine.

Section 60.

THIRD SCHEDULE.

AMENDMENTS OF CERTAIN ENACTMENTS RELATING TO CRIMINAL PROCEEDINGS AND COURTS OF SUMMARY JURISDICTION.

Enactment.	Amendment.
42 & 43 Vict. c. 49. Summary Jurisdiction Act, 1879.	For section ten there shall be substituted the following section :— "10.—(1) A court of summary jurisdiction before whom a child is charged with an indictable offence other than homicide may, without consulting the parent or guardian of

the child, deal with him summarily and shall so deal with him unless some other person who is charged jointly with him and is not a child is committed for trial, in which case the court may, if in the interests of justice they think it necessary so to do, also commit the child for trial.

(2) A court of summary jurisdiction who deal summarily with a child in respect of an indictable offence shall, in addition to any other powers exercisable by virtue of this or any other Act, have power to impose a fine not exceeding forty shillings and when the child is a male, to adjudge the child to be, as soon as practicable, privately whipped with not more than six strokes of a birch rod by a constable, in the presence of an inspector or other officer of police of higher rank than a constable, and also in the presence, if he desires to be present, of the parent or guardian of the child."

In subsection (2) of section eleven the words " by the evidence " shall be omitted.

In subsection (3) of section seventeen the words from " unless the parent or guardian " to the end of the subsection shall be omitted.

In section forty-nine, for the definitions of child and young person there shall be substituted the following definitions—

" The expression ' child ' means a person who in the opinion of the court before whom he is brought is under the age of fourteen years.

The expression ' young person ' means a person who in the opinion of the court before whom he is brought is of the age of fourteen years and under the age of seventeen years."

A.D. 1933.	Enactment.	Amendment.
3RD SCH. —*cont.*	7 Edw. 7. c. 17. Probation of Offenders Act, 1907.	At the end of subsection (2) of section two there shall be inserted the following proviso— "Provided that— (*a*) it shall not be made a condition of a recognisance that a person under the age of seventeen years shall reside in any institution which is not subject to inspection by the Secretary of State unless he is while residing in the institution to be employed, or to seek employment, outside it; and (*b*) where it is made a condition of a recognisance that a person under the age of seventeen years shall reside in any institution the court by which the probation order is made shall forthwith give notice of the terms of the order to the Secretary of State; and (*c*) where such residence as aforesaid has, in the case of a person under the age of seventeen years, been made a condition of a recognisance the Secretary of State may at any time, if he considers that it is in the interests of that person so to do, cause an application to be made to the court before which he is bound by his recognisance to appear, and thereupon that court may vary the conditions of the recognisance by excluding therefrom the condition as to residence, or by substituting the name of some other institution." In subsection (5) of section six for the words "if the case was one in which the "court in the first instance might under "section fifteen of the Industrial Schools "Act, 1866, have ordered the offender to "be sent to a certified industrial school "and the offender is still apparently under "the age of twelve years" there shall be

Enactment	Amendment.	A.D. 1933.
	substituted the words "if the case was "one in which the court had power to "make an order sending him to an "approved school and he is still under "the age of seventeen years."	3RD SCH. —*cont.*
11 & 12 Geo. 5. c. 51. Education Act, 1921.	For section forty-five there shall be substituted the following section—	
"Proceedings on disobedience of order of court for attendance at school.	45.—(1) Where a school attendance order is not complied with, without any reasonable excuse, a court of summary jurisdiction, on complaint made by the local education authority, may, if they think fit, order as follows :—	
	(*a*) in the first case of non-compliance if the parent of the child does not appear, or appears and fails to satisfy the court that he has used all reasonable efforts to enforce compliance with the order, the court may impose a fine not exceeding with the costs twenty shillings; but if the parent satisfies the court that he has used all reasonable efforts as aforesaid, the court may, without inflicting a fine, order the child to be sent to an approved school or to be committed to the care of a fit person in accordance with the provisions of the Children and Young Persons Act, 1933; and	
	(*b*) in the second or any subsequent case of non-compliance with the order, the court may order the child to be sent to an approved school or to be committed to the care of a fit person in accordance with the provisions of the Children and Young Persons Act, 1933, and may further in their discretion inflict any such fine as aforesaid, or they may for each such non-compliance inflict any such fine as aforesaid without ordering the child to be so sent or committed as aforesaid :	

A.D. 1933.

3RD SCH. —*cont.*

Enactment.	Amendment.
	Provided that a complaint under this section with respect to a continuing non-compliance with a school attendance order shall not be repeated by the local education authority at any less interval than two weeks.
	(2) Where an order is made under this section either sending a child to an approved school, or committing him to the care of a fit person, the provisions of the Children and Young Persons Act, 1933, shall apply in relation to the order as if it were an order made under that Act."
15 & 16 Geo. 5. c. 86. Criminal Justice Act, 1925.	In subsection (4) of section twenty-four, for the word "sixteen" there shall be substituted the word "seventeen."

Sections 81 and 106.

FOURTH SCHEDULE.

PROVISIONS AS TO ADMINISTRATION OF APPROVED SCHOOLS AND TREATMENT OF PERSONS SENT THERETO.

General Provisions.

1.—(1) The Secretary of State may make rules for the management and discipline of approved schools, and different rules may be made as respects different schools or classes of school.

(2) The managers of an approved school may make supplementary rules for the management and discipline of the school, but rules so made shall not have effect unless approved by the Secretary of State.

2. No substantial addition to, or diminution or alteration of, the buildings or grounds of an approved school shall be made without the approval in writing of the Secretary of State.

Treatment of Pupils.

3. A minister of the religious persuasion to which a person in an approved school belongs may visit him at the school on such days, at such times, and on such conditions, as may be fixed by rules made by the Secretary of State, for the purpose of affording him religious assistance and instruction.

A.D. 1933.

4TH SCH. —*cont.*

4. If it appears to the managers of an approved school that a person who has been ordered to be sent to their school requires medical attention before he can properly be received into the school, or that a person detained in the school requires such attention, they may make arrangements for him to be received into and detained in any hospital, home or other institution where he can receive the necessary attention; and that person, while so detained, shall for the purposes of this Act be deemed to be under the care of the managers of the school, and shall, for the purposes of section nine of the Mental Deficiency Act, 1913, be deemed to be detained in the school.

3 & 4 Geo. 5. c. 28.

Power to Place out Pupils.

5. At any time during the period of a person's detention in an approved school the managers of the school may grant leave to him to be absent therefrom in the charge of such person and for such period as they think fit, but during such leave he shall, for the purposes of this Act, be deemed to be under the care of the managers of the school, and the managers may at any time require him to return to the school.

6.—(1) At any time during the period of a person's detention in an approved school the managers of the school may and, if the Secretary of State so directs, shall by licence in writing permit him to live with his parent, or with any trustworthy and respectable person (to be named in the licence) who is willing to receive and take charge of him:

Provided that, without the consent of the Secretary of State, a licence shall not be granted during the first twelve months of the period of a person's detention.

(2) The Secretary of State shall through his inspectors review the progress made by persons detained in approved schools with a view to ensuring that they shall be placed out on licence as soon as they are fit to be so placed out.

(3) The managers of the school may at any time by order in writing revoke any licence, and require the person to whom it relates to return to the school.

(4) For the purposes of this Act a person who is out on licence from an approved school shall be deemed to be under the care of the managers of the school.

7. If a person under the care of the managers of an approved school conducts himself well, the managers of the school may, with his written consent, apprentice or place him in any trade, calling, or service, including service in the Navy, Army or Air Force, or may, with his written consent and with the written consent of the Secretary of State, arrange for his emigration.

A.D. 1933.

4TH SCH. —*cont.*

Before exercising their powers under this paragraph the managers shall, in any case where it is practicable so to do, consult with the parents of the person concerned.

Misconduct of Pupils.

8. If a person detained in an approved school is guilty of serious misconduct, the managers, if authorised by the Secretary of State so to do, may bring him before a court of summary jurisdiction and that court may (notwithstanding any limitations contained in this Act upon the period during which he may be detained in an approved school) order him—

(*a*) if he is under the age of sixteen years, to have the period of his detention in the school increased by such period not exceeding six months as the court may direct; or

(*b*) if he has attained the age of sixteen years but is under the age of seventeen years, to have the period of his detention so increased, or to be sent to a Borstal institution for a period of two years; or

(*c*) if he has attained the age of seventeen years, to have the period of his detention so increased, or to be sent to a Borstal institution for two years, or to be imprisoned for three months.

Discharge and Transfer.

9.—(1) The Secretary of State may at any time order a person under the care of the managers of an approved school to be discharged, or to be transferred to the care of the managers of another school, or with the consent of the Scottish Education Department, to the care of the managers of a school in Scotland which is an approved school within the meaning of the Children and Young Persons (Scotland) Act, 1932.

22 & 23 Geo. 5. c. 47.

(2) Upon a person being so discharged or transferred as aforesaid, the Secretary of State shall cause notice to be sent to the local authority liable to make contributions in respect of him.

(3) Where a person is transferred under the foregoing provisions of this paragraph to the care of the managers of a school in Scotland, the provisions of this Act relating to contributions by parents, guardians and others, and local authorities, shall apply in respect of him as if the school in Scotland were an approved school within the meaning of this Act, and if under the law in force in Scotland he is retransferred to the care of the managers of a school in England which is an approved school within the meaning of this Act, this Act shall have effect in relation to the retransfer as if it were a

transfer under this paragraph from the care of the managers of one approved school in England to the care of the managers of another approved school in England.

10. The provisions of section sixty-eight of this Act (which relate to religious persuasion) shall apply in relation to the transfer of persons to approved schools and orders made for that purpose as they apply in relation to the sending of persons to such schools and orders made for that purpose.

11. Where a person detained in an approved school is transferred to the care of the managers of another school, he shall be conveyed to his new school by and at the expense of the managers of the first-mentioned school.

Powers and duties of Managers and other Persons in Charge of Pupils.

12.—(1) Subject as hereinafter provided, all rights and powers exercisable by law by a parent shall as respects any person under the care of the managers of an approved school be vested in them :

Provided that, where a person out on licence or under supervision from an approved school is lawfully living with his parents or either of them, the said rights and powers shall be exercisable by the parents or, as the case may be, by the parent with whom he is living; but it shall be the duty of any such parent so to exercise those rights and powers as to assist the managers to exercise control over him.

(2) The managers of an approved school shall be under an obligation to provide for the clothing, maintenance and education of the persons under their care, except that while such a person is out on licence, or under supervision, their obligation shall be to cause him to be visited, advised and befriended and to give him assistance (including, if they think fit, financial assistance) in maintaining himself and finding suitable employment.

13. Every person who—

(*a*) is authorised by the managers of an approved school to take charge of a person under their care, or to apprehend such a person and bring him back to the school; or

(*b*) is authorised by a local or poor law authority or, being a probation officer, is authorised by a court, to take to an approved school a person ordered to be detained therein,

shall, for the purposes of his duty as aforesaid have all the powers, protection, and privileges of a constable.

A.D. 1933.

4TH SCH. —*cont.*

Superannuation of Officers.

14. The managers of any approved school may, as part of the expenses of the management of the school, pay, or contribute towards the payment of—

(*a*) a superannuation allowance or gratuity—

(i) to any officer who retires by reason of old age or permanent infirmity of mind or body;

(ii) to any officer, who, in accordance with the terms of his appointment, is required to vacate his office by reason of the death, or the retirement on account of old age or permanent infirmity, of another officer;

(*b*) a gratuity to any dependant of an officer who has died in the service of the school:

Provided that no payment or contribution in respect of any such superannuation allowance or gratuity shall be made unless it is made in accordance with rules approved by the Secretary of State with the concurrence of the Treasury for regulating the grant of such allowances and gratuities, or unless it is specially sanctioned by the Secretary of State.

Section 108.

FIFTH SCHEDULE.

TRANSITORY PROVISIONS.

1. Any Order in Council, order, or regulation made, any certificate given, any deposition taken, and anything done, under any enactment repealed by this Act shall, for the purposes of this Act, be deemed to have been made, given, taken or done, under the corresponding provisions of this Act.

2. Any rule, byelaw, warrant or licence under any enactment repealed either by the Children and Young Persons Act, 1932 (hereinafter referred to as the Act of 1932) or by this Act and re-enacted, with or without modifications, by this Act shall have the like effect, and the like proceedings may be had thereon and in respect thereof, as if it had been made, made and confirmed, or granted, under this Act:

Provided that this paragraph shall not apply to rules made under section fifty-four of the Children Act, 1908 (hereinafter referred to as the Act of 1908) for the management and discipline of a certified school or to byelaws made under section ninety-one of the Education Act, 1921, with respect to street trading.

A.D. 1933.
5TH SCH.
—*cont.*

3. Any person who at the commencement of the Act of 1932 is under section twenty of the Act of 1908 being detained in a place of safety may be so detained until he can be brought before a juvenile court under this Act.

4. Nothing in this Act or in the Act of 1932 shall render invalid any summons pending at the commencement of that Act for bringing a child or young person before a petty sessional court with a view to his being committed under section twenty-one or under Part IV of the Act of 1908 to the care of a relative or other fit person or with a view to his being sent to a certified school, but the petty sessional court before which the child or young person is brought under the summons, if it is constituted as a juvenile court, shall proceed as if he had been brought before it as being a child or young person in need of care or protection, and if it is not constituted as a juvenile court, shall adjourn the case until it can be so constituted and shall then proceed as aforesaid.

5. Where before the commencement of the Act of 1932 an order has been made under the Act of 1908 or under section forty-five of the Education Act, 1921, committing a child or young person to the care of a relative or other fit person, this Act shall have effect in relation to the child or young person as if the order were an order made under this Act:

Provided that notwithstanding anything in this Act the order shall not have effect for any longer period than the period for which it would have had effect if neither this Act nor the Act of 1932 had passed.

6. This Act shall apply in relation to a school which at the commencement of the Act of 1932 was a certified reformatory school or a certified industrial school as if the certificate for the school were a certificate of approval issued under this Act.

7. The Secretary of State may, if he thinks fit, approve for the purposes of this Act any school which on the twelfth day of July nineteen hundred and thirty-two was a certified day industrial school, and if he so approves any such school the provisions of this Act shall apply in relation to that school and to children previously sent or thereafter to be sent thereto, subject to such adaptations, modifications and exceptions as he may from time to time by order direct.

8. Where a child or young person had at the commencement of the Act of 1932 been ordered to be sent to a certified school but has not reached his school, the like proceedings may be had and the like things done for the purpose of securing that he is sent to a school, and with respect to his custody in the meantime, as might have been had or done if neither this Act nor the Act of 1932 had passed.

A.D. 1933.
5TH SCH.
—*cont.*

9. Subject to the provisions of this Schedule, this Act shall apply in relation to persons who at or after the commencement of the Act of 1932 are lawfully detained in, or out on licence or under supervision from, or are absentees from, a certified school, as if they were persons detained in, or out on licence or under supervision from, or absentees from, an approved school under the provisions of this Act:

Provided that the periods for which such persons are liable to be detained in approved schools and to remain under the supervision of the managers shall (except so far as increased by virtue of the provisions of this Act relating to persons guilty of misconduct in schools or of escaping, running away or refusing to return when recalled) be such as if neither this Act nor the Act of 1932 had passed.

10. Where a child or young person has before the commencement of the Act of 1932 been ordered to be sent to a certified school, it shall be the duty of the local authority, if any, who under the Act of 1908 were liable to provide for his reception and maintenance in the school to make such contributions in respect of him as would by this Act be required to be made if he had been sent to the school under an approved school order and they were the local authority named in that order as being the authority within whose district he was resident: and if in any such case as aforesaid—

(*a*) it had not been determined at the commencement of the Act of 1932 who are the authority who are responsible as aforesaid; or

(*b*) proceedings might but for the passing of this Act and the Act of 1932 have been had for varying a determination as to that question,

the like proceedings may be had for determining the question and for varying any determination in respect thereof as might have been had if neither this Act nor the Act of 1932 had passed.

11. Where a child or young person has before the commencement of the Act of 1932 been ordered to be sent to a certified school at the instance of a poor law authority or of the managers of a district poor law school, the poor law authority concerned shall be under the like obligation to make contributions to the expenses of the managers of the school as they would be under if he had been sent to the school by virtue of an approved school order made on their application in their capacity as a poor law authority.

12. Where before the commencement of the Act of 1932 a child or young person has been committed to the care of a relative or other fit person or has been ordered to be sent to a certified school and an order is in force at the commencement of

the said Act requiring any person liable to maintain him to contribute to his maintenance, or requiring the whole or any part of any payment under an affiliation order to be paid to a person named in the order, this Act shall apply in relation to the order as if it had been made under this Act, and where the order provides for the making of payments to the chief inspector of reformatory and industrial schools it shall, by virtue of this Act and without more, be deemed to provide that the payments shall be made to the council of the county or county borough within which the person liable to make the payments is from time to time resident.

13. Where in pursuance of section fifty-three of the Act of 1908 a child has been boarded out by the managers of a certified school, this Act shall apply in relation to that child—

(*a*) if the managers are a local authority, as if he had been committed under this Act to their care and had been boarded out by them under this Act;

(*b*) if the managers are not a local authority, as if he were out on licence from the school.

14. Where before the commencement of the Act of 1932 a child or young person has entered into a recognisance under the proviso to subsection (4) of section fifty-eight of the Act of 1908 or under section sixty of that Act, the provisions of section sixty-six of this Act shall apply as if such an order as is mentioned in that section had been made placing him under the supervision of a probation officer, and the recognisance shall cease to have effect.

15. The repeal by the Act of 1932 of the provisions of the Act of 1908 relating to places of detention shall not render illegal the custody of a child or young person in such a place unless and until a remand home for the area in question has been provided in substitution therefor, and when such a home has been provided, the children or young persons in custody in the place of detention shall be transferred to and kept in custody in the home.

A.D. 1933.

Section 109.

SIXTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 67.	The Children Act, 1908.	Sections twelve to seventeen, nineteen, twenty-four, twenty-seven to thirty-two, thirty-five, and thirty-seven; subsection (2) of section thirty-eight; sections thirty-nine to forty-three, ninety-four, ninety-five, ninety-seven to one hundred and six, one hundred and nine, and one hundred and fourteen to one hundred and twenty-one; in section one hundred and twenty-three, subsection (1); in subsection (2) the words "or indictment," from the words "or any of the offences" to the words "Criminal Law Amendment Act, 1885," the words "by or," the words "was a child or young person or" and the words "a child or young person or to have been," wherever those words occur; and subsections (3) and (4); section one hundred and twenty-four; in section one hundred and twenty-seven the words "or young person" wherever those words occur; sections one hundred and twenty-eight and one hundred and thirty; in section one hundred and thirty-one the definitions of "guardian," "local education authority," "police authority," "street," "public place," and "intoxicating liquor," and in the

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 67. *cont.*	- - -	definitions of "legal guardian" and "place of safety" the words "child or young person"; and the First Schedule.
10 Edw. 7. & 1 Geo. 5. c. 25.	The Children Act (1908) Amendment Act, 1910.	The whole Act.
3 & 4 Geo. 5. c. 7.	The Children (Employment Abroad) Act, 1913.	The whole Act, as well in its application to Scotland and Northern Ireland as in its application to England.
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act, 1914.	Subsection (2) of section twenty-eight.
15 & 16 Geo. 5. c. 86.	The Criminal Justice Act, 1925.	Section forty-eight.
20 & 21 Geo. 5. c. 21.	The Children (Employment Abroad) Act, 1930.	The whole Act, as well in its application to Scotland and Northern Ireland as in its application to England.
22 & 23 Geo. 5. c. 46.	The Children and Young Persons Act, 1932.	Sections one to sixty-three; section sixty-four, as well in its application to Northern Ireland as in its application to England; in section seventy from the words "and in the definitions" to the end of the section; sections seventy-one to seventy-six, seventy-eight, sections eighty to eighty-six; in subsection (1) of section eighty-seven the definitions of "Chief Officer of Police," "Metropolitan Police Court Area," "needing care or protection," and "prescribed," and subsections (2), (3) and (4) of that section; section eighty-eight; in subsection (2) of section ninety the words "save as otherwise expressly provided;" the First Schedule; the Second Schedule, except so far as it relates to the following provisions of the Children Act, 1908, that is to say, sections one, two, three,

A.D. 1933.

6TH SCH. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
22 & 23 Geo. 5. c. 46—*cont.*	- - -	eight and nine, subsection (2) of section one hundred and twenty-three, and the definitions in section one hundred and thirty-one of "young person," "legal guardian," "place of safety," "police fund" and "common fund"; and the Third and Fourth Schedules.
22 & 23 Geo. 5. c. 47.	The Children and Young Persons (Scotland) Act, 1932.	Section fifty-eight.

Produced in the U.K. for
W.J. SHARP
Controller and Chief Executive of Her Majesty's Stationery Office
and Queen's Printer of Acts of Parliament
LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE
Price £6,50 net
Printed in England by C&S Ltd

ISBN 0 10 850185 X

280 *Témoignages d'enfants dans les poursuites criminelles.*

Cependant, si l'enfant est témoin à charge, un autre témoignage pertinent sera nécessaire pour faire condamner l'accusé.

(2) Les dispositions de cet Article s'appliqueront aussi aux dépositions devant être faites sous la foi du serment.

ARTICLE 2.

La présente Loi pourra être citée sous le titre de "Loi (1940) concernant les témoignages d'enfants dans les poursuites criminelles."

Ce qui sera imprimé, publié et affiché.

H. LE RICHE EDWARDS.
Greffier des Etats.

ACTE DES ETATS

en date du 20 Février 1940,

INTITULÉ :

Loi (1940) sur la protection de l'enfance,

CONFIRMÉE PAR

Ordre de Sa Majesté en Conseil,

en date du 26 Juin 1940,

(Entériné le 9 Juin 1945).

JERSEY :
J. T. BIGWOOD LTD., IMPRIMEURS DES ÉTATS,
BROAD STREET.

(350) 1945. L—46A

Protection de l'Enfance.

Loi sur la protection de l'enfance, confirmée par Ordre de Sa Majesté en Conseil en date du

26 JUIN 1940.

(Entériné le 9 Juin 1945).

Aux Etats de l'Ile de Jersey.

L'An 1940, le 20e jour de Février.

CONSIDERANT qu'il est nécessaire de modifier la législation actuelle concernant la protection des enfants qui sont placés, moyennant salaire, hors du domicile de leurs parents ou de leur tuteur;

LES ETATS ont résolu, moyennant la sanction de Sa Très Excellente Majesté en Conseil, d'adopter la Loi suivante :—

ARTICLE 1.

Dans cette Loi—

"autorisation" désigne une autorisation à prendre, moyennant salaire, un enfant âgé de moins de quatorze ans, en nourrice, en sevrage ou en garde :

"le Comité" désigne le Comité de Santé Publique nommé en vertu de l'Article 1er de la Loi sur la Santé Publique, passée par les Etats le 1er Février 1934 et confirmée par Ordre de Sa Majesté en Conseil en date du 5 Octobre 1934* ;

*Voir Tome 1933–36, page 219.

" Connétable compétent " désigne le Connétable de la paroisse où réside la mère nourricière dont il s'agit ;

" Inspecteur Médical " désigne l'Inspecteur Médical nommé en vertu de l'Article 10 de la dite Loi (1934) sur la Santé Publique ;

" Inspecteur Sanitaire " désigne un Inspecteur Sanitaire nommé en vertu de l'Article 10 de la dite Loi (1934) sur la Santé Publique ;

" médecin enregistré " désigne un médecin ou chirurgien dûment autorisé à exercer la médecine ou la chirurgie dans cette Ile ;

" mère nourricière " désigne toute personne qui prend chez elle, moyennant salaire, un enfant âgé de moins de quatorze ans, en nourrice, en sevrage ou en garde ;

" parent " désigne le père ou la mère d'un enfant légitime, ou la mère d'un enfant illégitime ;

" prescrit " désigne prescrit par le Comité.

ARTICLE 2.

(1) Tout enfant âgé de moins de quatorze ans qui est placé, moyennant salaire, chez une mère nourricière, hors du domicile de ses parents ou de son tuteur, sera de ce fait l'objet d'une surveillance ayant pour but de protéger sa vie et sa santé.

(2) La surveillance mentionnée à l'alinéa (1) de cet Article sera exercée par le Comité avec l'aide du Connétable compétent.

ARTICLE 3.

(1) Il est interdit à toute personne de prendre chez elle, moyennant salaire, un enfant âgé de moins de quatorze ans, en nourrice, en sevrage ou en garde, sans l'autorisation du Comité.

(2) Toute personne désirant obtenir une autorisation devra s'adresser au Comité et lui soumettre un certificat de bonne vie et mœurs délivré par le Connétable compétent, un certificat d'aptitude délivré par un médecin enregistré et un certificat sanitaire délivré par un Inspecteur Sanitaire, le tout suivant la formule A annexée à la présente loi.

(3) Le Comité aura le pouvoir d'octroyer une autorisation aux conditions qu'il jugera nécessaires et de les modifier de temps à autre.

(4) Le Comité aura le pouvoir de refuser ou de retirer une autorisation à toute personne dont les mœurs, l'aptitude ou la résidence constituerait des motifs suffisants pour justifier ce refus ou ce retrait.

(5) Toute personne qui se croirait lésée par la décision du Comité en vertu de l'alinéa (3) ou (4) de cet Article aura le droit d'en appeler au Nombre Inférieur de la Cour Royale, en vacance ou en terme.

(6) Tout changement de résidence d'une mère nourricière entraînera l'annulation de son autorisation. Elle devra faire une nouvelle demande, selon les termes de cet Article, mais le Comité pourra dans ce cas la dispenser de produire le certificat de bonne vie et mœurs et le certificat d'aptitude.

(7) Le Comité devra notifier immédiatement au Connétable compétent tout octroi, retrait ou annulation d'autorisation et toute modification des conditions imposées.

ARTICLE 4.

(1) Il est interdit à toute personne de placer un enfant âgé de moins de quatorze ans chez une mère nourricière qui n'est pas dûment autorisée en vertu de la présente loi.

(2) Toute personne qui placera un enfant âgé de moins de quatorze ans chez une mère nourricière sera tenue de remettre, sans délai, à l'Inspecteur Médical une déclaration par écrit suivant la formule B annexée à la présente loi et un extrait de naissance du dit enfant.

ARTICLE 5.

Toute mère nourricière qui aura reçu chez elle un enfant âgé de moins de quatorze ans sera tenue—

(*a*) d'en faire la déclaration à l'Inspecteur Médical dans les trois jours de l'arrivée de l'enfant ;

(*b*) de déclarer à l'Inspecteur Médical, dans le même délai, le retrait du dit enfant par ses parents ou son tuteur ou la remise du dit enfant à une autre personne pour quelque cause que ce soit ;

(*c*) en cas de décès du dit enfant, d'en informer, dans les vingt-quatre heures, l'Inspecteur Médical et le Connétable compétent.

ARTICLE 6.

(1) L'Inspecteur Médical devra transmettre immédiatement au Connétable compétent tous les renseignements contenus dans les déclarations faites en vertu des Articles 4 et 5 de la présente loi.

(2) L'Inspecteur Médical et le Connétable compétent devront inscrire dans un Registre Spécial (qui sera dans la forme prescrite) tous les dits renseignements ou autres détails prescrits.

ARTICLE 7.

(1) Une mère nourricière ne pourra, sous aucun prétexte, se décharger, même temporairement, de la

garde de l'enfant qui lui aura été confié, en le remettant à une autre mère nourricière ou à toute autre personne, sans une autorisation écrite donnée par les parents, le tuteur ou le Connétable compétent, après avis de l'Inspecteur Médical.

(2) Si une mère nourricière veut rendre l'enfant confié à ses soins avant qu'il lui ait été reclamé, elle devra en informer l'Inspecteur Médical qui fera les démarches nécessaires.

ARTICLE 8.

Les mères nourricières et les intermédiaires qui s'occupent de placer les enfants chez elles seront tenus de recevoir, en tout temps, les membres du Comité, les Connétables, l'Inspecteur Médical, les Inspecteurs Sanitaires ou toute autre personne désignée par le Comité pour les visiter.

ARTICLE 9.

Les mères nourricières ne peuvent avoir aucun intérêt pécuniaire dans l'assurance sur la vie des enfants placés chez elles, et il leur est interdit d'assurer ou d'essayer d'assurer, personnellement ou par un intermédiaire, la vie des enfants à leur garde.

ARTICLE 10.

Une mère nourricière dûment autorisée en vertu de la présente loi sera créancière privilégiée pour un mois de pension.

ARTICLE 11.

(1) Toute personne qui contreviendra aux dispositions de la présente loi sera passible, pour chaque contravention, d'une amende n'excédant

pas vingt-cinq livres sterling, ou d'un emprisonnement, avec ou sans travaux forcés, n'excédant pas trois mois, ou de l'une et l'autre de ces deux pénalités.

(2) La Cour pourra prendre toutes les dispositions nécessaires pour la protection d'un enfant concernant lequel une contravention aura été commise.

ARTICLE 12.

(1) Les Etats pourront passer des Règlements—

(*a*) pour modifier les formules annexées à la présente loi ;

(*b*) pour exempter des dispositions de la présente loi toute institution qu'ils jugeront être d'utilité publique ;

(*c*) pour la mise en exécution de la présente loi.

(2) Tous Règlements passés par les Etats en vertu de la présente loi resteront en vigueur jusqu'à leur rappel ou modification.

ARTICLE 13.

A partir de l'entrée en vigueur de la présente loi, la Loi sur la Protection de l'Enfance, passée par les Etats le 16 Février et le 24 Juillet 1915 et confirmée par Ordre de Sa Majesté en Conseil en date du 14 Septembre 1915,* sera abrogée.

ARTICLE 14.

La présente loi pourra être citée sous le titre de " Loi (1940) sur la Protection de l'Enfance."

(1955 edition)

*Voir Tome V, page 420.

ANNEXES.

FORMULE A.

DEMANDE EN AUTORISATION.

Nom et prénoms du postulant.....
Full name of applicant

Résidence .....
Residence

Nombre d'enfants pouvant être pris en même temps .....
Number of children to be taken in at any one time

Détails des maladies infectieuses ou contagieuses dont tout membre de la famille du postulant ou tout habitant de la maison a été ou est atteint.....
Details of infectious or contagious diseases from which any member of the family of the applicant or any inmate of the house has suffered or is suffering

.....

.....

.....

Date..... Signé .....
Date Signed

CERTIFICAT DE BONNE VIE ET MOEURS.

Je, soussigné, Connétable de la paroisse de.....
I, the undersigned, Constable of the parish of

.....
certifie que le postulant sus-mentionné est digne de
certify that the above-mentioned applicant is a fit

recevoir une autorisation en vertu de la Loi (1940)
and proper person to be granted a certificate under

sur la Protection de l'Enfance.
the " Loi (1940) sur la Protection de l'Enfance."

Signé .....
Signed Connétable.
Constable.

CERTIFICAT D'APTITUDE.

Je certifie que le postulant sus-mentionné est
I certify that the above-mentioned applicant is a

capable de prendre le soin des enfants.
fit and proper person to have the care of children.

Signé .....
Signed Médecin enregistré.
Registered medical practitioner.

CERTIFICAT SANITAIRE.

Je certifie que la maison sus-mentionnée est en
I certify that the above-mentioned premises are

bon état et convient au logement ..... enfants.
in good condition and suitable for housing .. ..
children.

Signé .....
Signed Inspecteur Sanitaire.
Sanitary Inspector.

FORMULE B.

Nom et prénoms des parents ou du tuteur.....
Full name of parents or guardian

.....

Résidence .....
Residence

Nom et prénoms des enfants..... Age..... .....
Full name of children Age

....

....

Nom de la mère nourricière chez laquelle on veut
Name of foster-mother with whom it is desired to

placer les enfants .....
place the children

Résidence .....
Residence

Détails des maladies infectieuses ou contagieuses
Details of infectious or contagious diseases from

dont les enfants ont été ou sont atteints.....
which the children have suffered or are suffering

.....

.....

.....

Date..... Signé.....
Date Signed

Ce qui sera imprimé, publié et affiché.

H. LE RICHE EDWARDS,
Greffier des Etats.

Note: This translation is provided to assist the Inquiry's expert but is not to be considered a definitive translation of the law

A law on the Protection of Children, confirmed by order of his majesty in Council 26 June 1940

States of Jersey

20 February 1940

Considering that it is necessary to amend the legislation concerning the protection of children who are placed, in return for a fee, away from the domicile of their parents or their guardian

The States have resolved, through the sanction of his most excellent Majesty in Council, to adopt the following law

Article 1 In this law

'authorisation' means an authorisation to take, in return for a fee, a child of less than 14 years of age into the care of a foster mother, 'sevrance'(?), or a guardian

'Committee' means the Public Health committee named by virtue of Art 1 of the Public Health Law passed by the States on 1st February 1934 and confirmed by order of His Majesty in Council on 5th October 1934

'Competent Connétable' means the Connétable of the parish where the foster mother resides

'Medical Inspector' means the medical inspector nominated by virtue of Art 10 of the said law on Public Health 1934

'Sanitary Inspector' means a sanitary inspector nominated by virtue of Art 10 of the said law on Public Health 1934

'registered doctor' means a doctor or surgeon duly authorised to practice medicine in the Island

'foster mother' means any person who takes, in return for a fee, a child of less than 14 years of age into their house as a foster carer, as 'sevrance'(?), or as guardian

'parent' means the father or mother of a legitimate child or the mother of an illegitimate child

'prescribed' means prescribed by the Committee

Article 2 (1) Any child aged less than 14 years of age who is placed, in return for a fee, with a foster mother, away from the parents' or guardian's home, will be de facto the object of supervision in order to protect their life and health

(2) The supervision mentioned in paragraph (1) of this article will be exercised by the Committee with the help of the competent Connétable

Article 3 (1) It is forbidden for any person to take in return for a fee a child aged less than 14into the care of a foster mother, as 'sevrance'(?), or as guardian without the authorisation of the Committee

(2) Any person wishing to obtain an authorisation will have to address the Committee and submit a certificate of good living and morals delivered by the competent Connétable, a certificate of aptitude delivered by a registered doctor and a sanitary certificate delivered by a sanitary inspector, all following the model in Annex 1 of this law

(3) The Committee will have the power to include with the authorisation conditions which it judges to be necessary and to modify them from time to time

(4) The Committee will have the power to refuse or withdraw an authorisation from anyone whose morals aptitude or residence constitutes sufficient motive to justify the refusal or withdrawal

(5) any person who believes themselves injured by the decision of the Committee in virtue of paras (3) or (4) of this article will have the right to appeal to the Inferior Number of the Royal Court, in vacation or in term time

(6) Any change of residence for a foster mother will incur the annulment of the authorisation. She will have to make a new application, according to the terms of this article but in this case the Committee will be able to dispense with the certificate of good living and morals and the certificate of aptitude

(7) The Committee must give notice immediately to the competent Connétable of any condition, withdrawal or annulment of authorisation and any modification of the conditions imposed.

Article 4 (1) It is forbidden for anyone to place a child less than 14 with a foster mother who is not duly authorised by virtue of this law

(2) Anyone who places a child aged less than 14 with a foster mother will be obliged to remit without delay to the medical Inspector a written declaration following the model in annex B of this law and an extract of the birth certificate of the child

Article 5 Any foster mother who receives a child of less than 14 into her house will be obliged to

(a) Make a declaration to the Medical Inspector within 3 days of the arrival of the child
(b) Declare to the medical Inspector, within the same period the withdrawal of the child from his/her parents or guardian or the removal of the child to another person for whatever reason
(c) In case of the decease of the child to inform within 24 hours the Medical Inspector and the competent Connétable

Article 6 (1) The Medical Inspector must transmit to the competent Connétable all information contained in the declarations made by virtue of articles 4 and 5 of this law

(2) The Medical Inspector and the competent Connétable must inscribe in a Special register (in the prescribed form) all said information and other prescribed details.

Article 7 (1) A foster mother may not under any pretext, discharge herself even temporarily from the care of the child confided to her, by sending the child to another foster mother or any other person without the written authorisation of the parents,, guardian or Connétable, after advice of the Medical Inspector

(2) If a foster mother wants to return the child confided to her care before the child has been reclaimed she must inform the Medical inspector who will take the necessary steps.

Article 8 Foster mothers and the intermediaries who are concerning with placing children in their homes will be obliged to receive at all times the members of the Committee the Connétables, the Medical Inspector, the Sanitary Inspectors or any other person designated by the Committee to visit them

Article 9 Foster mothers may not have any pecuniary interest in the life insurance of the children in their care and it is forbidden to insure or try to insure personally or through an intermediary the life of the children in their care.

Article 10 A foster mother duly authorised by virtue of this law will be a privileged creditor for a month of board(?)

Article 11 (1) Anyone who contravenes the arrangements of this law will be liable for each contravention to a fine not exceeding £25 sterling or an imprisonment, with or without labour, not exceeding 3 months or both of these penalties

(2) The Court can take all necessary means to protect the child who has been the subject of a contravention

Article 12 The States may pass Regulations

(a) To modify the models annexed to this law
(b) To exempt from the provisions of the law any institution it judges to be of public benefit
(c) To implement this law

Article 13 On the coming into force of this law, the Law on the Protection of Children, passed by the States on 16 February and 24 July 1915, and confirmed by order of his majesty in Council on 15 September 1915, will be repealed

Article 14 This law may be cited as 'Loi (1940) sur la Protection de l'Enfance'

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE ROYAL NETHERLANDS GOVERNMENT AMENDING THE ANGLO-NETHERLANDS MONETARY AGREEMENT OF THE 7TH SEPTEMBER, 1945.

London, 12th/16th September, 1946.

No. 1.

Mr. Ernest Bevin to the Netherlands Chargé d'Affaires.

Foreign Office,
12th September, 1946

Sir,

WITH reference to the recent consultations which have taken place between representatives of our two Governments in accordance with the provisions of Article 12 of the Anglo-Netherlands Monetary Agreement of the 7th September, 1945 (1) I have the honour to inform you that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have considered and approved the proposal that the 53,450,000 Netherlands guilders mentioned in Article 2 (i) (*a*) and the £5 million mentioned in Article 2 (ii) (*a*) of the Monetary Agreement should be increased to 106,900,000 guilders and £10 million respectively.

2. I shall be grateful if you will inform me whether the Netherlands authorities likewise approve this proposal and whether they agree that the present note and your reply shall be regarded as constituting an Agreement between His Majesty's Government and the Netherlands Government in the matter.

I have, &c.
(Sd.) ERNEST BEVIN.

No. 2.

The Netherlands Chargé d'Affaires to Mr. Ernest Bevin.

Ambassade der Nederlanden,
London, 16th September, 1946.

Your Excellency,

I HAVE the honour to acknowledge receipt of your Excellency's note of the 12th September, 1946, reading as follows:—

[As in No. 1.]

In reply, I have the honour to inform your Excellency that the Netherlands Government approve this proposal and likewise agree that your Excellency's note and my present reply shall be regarded as constituting an Agreement between the Netherlands and United Kingdom Governments in this matter.

I have, &c.
(Sd.) A. BENTINCK.

(1) "Treaty Series No. 7 (1945)," Cmd. 6681.

13577 Wt. — 9/46 H.O.P. 32144 Gp. 340

REPORT OF THE CARE OF CHILDREN COMMITTEE

Presented by the Secretary of State for the Home Department, the Minister of Health, and the Minister of Education, to Parliament by Command of His Majesty
September 1946

LONDON
HIS MAJESTY'S STATIONERY OFFICE
THREE SHILLINGS NET

Cmd. 6922

WE HEREBY APPOINT:

Miss MYRA CURTIS, C.B.E.
*Mrs. J. L. ADAMSON, M.P.
*Mrs. CAZALET KEIR, M.P.
Mr. H. GRAHAM WHITE, M.P.
Miss S. CLEMENT BROWN
Mr. R. J. EVANS
Miss LUCY G. FILDES
Miss M. L. HARFORD
Dr. SOMERVILLE HASTINGS
Alderman Miss K. JONES, O.B.E.
The Reverend J. H. LITTEN
Mr. J. MOSS
Mrs. HELEN MURTAGH
Mr. HENRY SALT
Professor J. C. SPENCE, M.C., M.D.
Mrs. F. G. A. TEMPLE, and
Mr. S. O. WALMSLEY

to be a Committee to inquire into existing methods of providing for children who from loss of parents or from any cause whatever are deprived of a normal home life with their own parents or relatives; and to consider what further measures should be taken to ensure that these children are brought up under conditions best calculated to compensate them for the lack of parental care.

AND WE FURTHER APPOINT Miss Myra Curtis to be Chairman and Miss D. M. D. Rosling of the Home Office and Mr. G. T. Milne of the Ministry of Health, to be Joint Secretaries of the Committee.

(Signed) HERBERT MORRISON
HENRY WILLINK
R. A. BUTLER

London.
8th March, 1945.

* Resigned.

WE HEREBY APPOINT Mrs. Muriel E. Nichol, M.P., to be a member of the Committee to inquire into existing methods of providing for children who from loss of parents or from any cause whatever are deprived of a normal home life with their own parents or relatives; and to consider what further measures should be taken to ensure that these children are brought up under conditions best calculated to compensate them for the lack of parental care, in place of Mrs. J. L. Adamson, M.P., who has resigned.

(Signed) J. CHUTER EDE
ANEURIN BEVAN
ELLEN WILKINSON

London.
8th October, 1945.

NOTE.

The estimated gross cost of the preparation of this Report and of the Committee's Interim Report (Cmd. 6760) is £2119 13s. 2d., of which £480 10s. 0d. represents the estimated cost of the printing and publication of these Reports.

CONTENTS

	Paragraphs
Introduction	1–11
Scope of the Enquiry	4– 7
Classification of the Children	8–11
Section I—Existing Statutory Provisions and Administrative Arrangements	12–98
Children maintained under the Poor Law	12–32
Children in Workhouses	23
Separate Schools	24
Certified Schools	25
Uncertified Voluntary Homes	26
Special Provision for Handicapped Children	27
Boarding Out	28
Assumption of Parental Rights	29
Finance	30
Inspection	31
Numbers of children maintained	32
Evacuated children left homeless	33–36
Children brought before the Courts as delinquent or in need of Care or Protection	37–63
Approved Schools	39–44
Committal to the Care of Fit Persons	45–49
Remand Homes	50–52
Probation and Supervision	53–59
Finance	60
Regulations	61
Inspection	62
Numbers under Care	63
Healthy Children maintained under the Public Health Act	64
Children cared for by Voluntary Organisations	65–69
Children maintained for Reward	70–76
Children placed for Adoption	77–84
Interim Orders	78
Registration of Adoptions	79
Adoption Societies and Agencies	80–82
Third Party Arrangements	83
Numbers	84
Handicapped children educated away from Home	85–88
Mentally disordered and mentally defective children	89–94
Children orphaned by the war	95–97
Summary of existing arrangements	98–99
	A 2

Section II—How The Children Are Cared For Now — Paragraphs

Introduction ... 100–122
Local Authority Administration of Children's Care ... 100–105
Children in Workhouses ... 106–135
Public Assistance Children's Homes, Public Assistance Nurseries, Public Health Nurseries ... 136–156
Homes managed by Voluntary Organisations ... 157–224
Hostels for working boys and girls and Probation Hostels ... 225–271
Approved Schools ... 272–282
Remand Homes ... 283–312
... 313–324

Homes and Institutions for Handicapped Children—
(*a*) Mentally ill or Defective Children ... 325–336
(*b*) Physically Handicapped Children ... 337–346
Boarding Out ... 347–396
Inspection ... 397–414
General Impressions ... 415–422

Section III—Conclusions and Recommendations

Scope of Public Care ... 423–515
The Substitute Home ... 424–426
Present Distribution of Responsibility ... 427–428
Recommendations regarding Responsibility ... 429–431
Voluntary Organisations ... 432–446
Central Authority ... 433
Local Authority ... 431–437
Children's Officer ... 438–440
Home-finding for the Normal Child ... 441–446
Adoption ... 447–507
Boarding Out ... 448–459
Fostering ... 460–474
Institutions ... 475
Approved Schools and Remand Homes ... 476–496
After-Care ... 497–501
Handicapped Children ... 502–507
Emigration of Children ... 508–514
... 515

Summary of Recommendations — Pages
Reservation to Paragraph 472 ... 178–182
Note on Religious Care ... 183
Appendix I—Training in Child Care ... 183
Appendix II—List of Witnesses ... 184–186
... 187–191

Statistical Tables

I. Children maintained under the Poor Law ... 12
II. Children brought before the Courts ... 18
III. Mentally Defective or Disordered Children ... 25
IV. Summary ... 27

Report of the Care of Children Committee

To: The Right Honourable J. CHUTER EDE, M.P., *Secretary of State for the Home Department*
The Right Honourable ANEURIN BEVAN, M.P., *Minister of Health*
The Right Honourable ELLEN WILKINSON, M.P., *Minister of Education*

INTRODUCTION

1. We were appointed in March, 1945, by the Secretary of State for the Home Department, the Minister of Health and the Minister of Education jointly, with the following terms of reference: "to inquire into existing methods of providing for children who from loss of parents or from any cause whatever are deprived of a normal home life with their own parents or relatives; and to consider what further measures should be taken to ensure that these children are brought up under conditions best calculated to compensate them for the lack of parental care."

2. We have met in full committee on 64 days. We have examined 229 witnesses.* We have read and considered 114 memoranda submitted by Government Departments, organisations and individuals, including the written evidence submitted by witnesses whom we have subsequently examined orally. We have, individually or in small groups, visited 451 institutions of various kinds in all parts of the country, and have in the course of our tours, interviewed officials and/or members of some 58 local authorities. We have also visited foster homes. Of the administrative counties in England and Wales we have paid visits in 41. We presented an Interim Report on the subject of Training in Child Care on 4th January, 1946.†

3. It is of interest to note that this is the first enquiry in this country directed specifically to the care of children deprived of a normal home life, and covering all groups of such children.

Scope of the Enquiry

4. It was necessary, at the outset, to consider carefully the precise scope of our terms of reference. The term "child" is variously defined in statutes dealing with different aspects of the problem, e.g., the Children and Young Persons Act, 1933, defines a "child" as a person under 14 years of age and a "young person" as a person over 14 and under 17 years of age; the Public Assistance Order, 1930, defines a "child" as a person under 16 years of age. A "young person" over 16 committed to an approved school under the former Act may be detained there until the attainment of age 19 at the latest and may be under supervision up to the age of 21. Where a local authority, under Section 52 of the Poor Law Act, 1930, assumes parental rights and powers over a child maintained by the authority, these rights and powers may remain vested in the authority until the child reaches the age of 18 years. The War Orphans Act, 1942, which imposes certain duties on the Minister of Pensions in relation to war orphans, empowers the Minister to continue to provide until the attainment of age 21 for the care of a child pensioned by him, although the pension may, and normally does, cease at an earlier age. In view of this diversity of definition of the term "child," we decided that we could not, in our investigation, regard ourselves as bound by any particular limit of age, but must take a broad view of the scope of the enquiry in this respect.

* See Appendix II. † Cmd. 6760.

5. While we have found that the statutes define certain categories of children as needing special provision to be made for their care, we have not confined our investigation to the provision made for the categories so defined; we have made recommendations regarding the care of certain classes of children who in our view require compensation for the lack of parental care though they are not recognised in any existing legislation as being in such need.

6. We have considered the needs of children temporarily deprived for a variety of reasons of normal home life, as well as the needs of those requiring long-term care. We have included within our scope children removed from their homes by order of a Court as well as those who are found through the machinery of the Poor Law or otherwise to be destitute. We have accordingly investigated the conditions of life in approved schools, remand homes and probation hostels as well as in public assistance and voluntary homes. We have however excluded from our consideration all questions concerned with the operation of the penal code, and have made no investigation of the conditions in Borstal institutions. We have considered the residential accommodation for children deprived temporarily or permanently of home life by reason of physical or mental infirmity or deficiency, but have regarded the medical treatment of such children as outside our scope. We have enquired into the circumstances in which children are privately placed in the care of individuals other than their parents or legal guardians with or without payment and with or without the intention of legal or de facto adoption and we make recommendations entailing the amendment of the law relating to adoption and child life protection.

7. We have not regarded ourselves as called upon to deal with children who though suffering from neglect, malnutrition or other evils, are still in their own homes under their parents' care. During the period leading up to a child's removal from his home he may indeed be said to be deprived of a " normal " home life. We have heard conditions described which we should be sorry to think were normal, but the difficulty of drawing the line among children in their homes is obvious. The consideration of the welfare of children deprived of home life has inevitably raised in our minds and in those of many of our witnesses the question whether this deprivation might not have been prevented. This is a question which we regard as of the utmost importance and we hope that serious consideration will be given to it; but it is not the problem with which we have been asked to deal.

Classification of the Children

8. The children who come within the scope of our enquiry may be classified in a variety of ways, e.g.,

(*a*) according to the circumstances which have deprived them of a normal home life;

(*b*) according to the route by which they have come under the care of some authority, organisation or individual other than their own parents or guardians;

(*c*) according to the kind of authority, organisation or individual in whose care they are placed;

(*d*) according to the type of care they are receiving;

(*e*) according to their needs.

There is no exact correspondence between the different classifications. The child's circumstances do not necessarily pre-determine the route by which it comes under care, or the type of authority or organisation in whose care it is placed. The types of care in which the children are placed vary widely, some being common to different types of authority or organisation, others

peculiar to authorities or organisations of particular kinds. The correlation of the needs of the children with the type of care they are receiving is very far from being complete.

9. In endeavouring to ascertain the numbers of children in the various categories who come within our terms of reference we have necessarily had to rely upon the classifications described in (*b*) and (*c*) of paragraph 8, i.e. we have obtained from the Government departments concerned particulars of the numbers of " deprived " children ascertained by these departments in the course of their administration of the relevant statutes, supplementing those particulars where necessary by information obtained from voluntary organisations. The particulars so obtained do not furnish a complete record of the children with whom we are concerned, because they do not cover children of the classes referred to in paragraph 5 for whom no provision is made by statute.

10. The children with whom we have concerned ourselves can be conveniently considered as falling within the following groups:

(*a*) children maintained by local authorities under the Acts and Regulations relating to the Poor Law;

(*b*) children found to be homeless on the winding up of the Government Evacuation Scheme;

(*c*) children brought before the Courts as delinquent or in need of care or protection and required by the Courts to live elsewhere than in their own homes;

(*d*) healthy children maintained by local authorities under the Public Health Act;

(*e*) children cared for by voluntary organizations;

(*f*) children in the care of private persons who are not their parents or legal guardians whether or not with a view to legal adoption;

(*g*) children who by reason of physical or mental handicaps have to be placed for long periods in hospitals or other residential establishments;

(*h*) children orphaned by the war.

11. The first main section of our report gives an outline of the statutory provisions and administrative arrangements now made for the care of deprived children. Then follows an account of the conditions in which deprived children were found to be living and a description of the local administrative arrangements in areas visited by members of the Committee. The final section of the report discusses the various factors which enter into a consideration of the problem and contains our recommendations.

SECTION I

EXISTING STATUTORY PROVISIONS AND ADMINISTRATIVE ARRANGEMENTS

CHILDREN MAINTAINED UNDER THE POOR LAW

12. The largest group of children deprived of a normal home life consists of those who are maintained by local authorities under the Poor Law as poor persons in need of relief. The governing statute is the Poor Law Act, 1930, which is a consolidation of earlier enactments relating to the relief of the poor. The language of this Act betrays the antiquity of some of the enactments of which it is an amalgam and reflects a spirit which, we are glad to say, is not characteristic of the administration of the local authorities, though it may well have been a drag on progress.

13. The Act is administered, under the general direction and control of the Minister of Health, by county and county borough councils (Sec. 2) who may combine for the purpose (Sec. 3) and who normally act through Public Assistance Committees under administrative schemes which may provide for local administration by sub-committees (Sec. 4-6). In preparing administrative schemes the local authorities were required, by Section 5 of the Local Government Act, 1929, to have regard to the desirability of securing that, as soon as circumstances permitted, all assistance which could lawfully be provided otherwise than by way of poor relief should be so provided, and were empowered to include in schemes a declaration that any assistance that could be provided either by way of poor relief or by virtue of certain specified Acts should be provided exclusively by virtue of the appropriate Act. The specified Acts were the Public Health Act, 1875, the Local Government Act, 1888, the Mental Deficiency Act, 1913, the Maternity and Child Welfare Act, 1918, the Blind Persons Act, 1920, the Public Health (Tuberculosis) Act, 1921, and the Education Act, 1921. None of these Acts confers power to maintain healthy children over five years of age.

14. Section 4 (4) of the Poor Law Act, 1930, enables provision to be made in the administrative scheme for any of the functions of the Public Assistance Committee to be discharged on behalf of and subject to the general direction and control of that Committee by any of the other committees of the Council. By these means and also sometimes by less formal agency arrangements some of the work of Public Assistance Committees including the care of destitute children has in a number of areas been taken over by other committees of the Council, usually the Education Committee, Public Health Committee or Maternity and Child Welfare Committee, according to the nature of the work in question.

15. The duty of the local authority with respect to poor persons is expressed as follows (Sec. 15 (1)):

"(*a*) to set to work all such persons whether married or unmarried, as have no means to maintain themselves, and use no ordinary and daily trade of life to get their living by;

(*b*) to provide such relief as may be necessary for the lame, impotent, old, blind and such other persons as are poor and not able to work;

(*c*) to set to work or put out as apprentices all children whose parents are not, in the opinion of the Council, able to keep and maintain their children; and

(*d*) to do and execute all other things concerning the matters aforesaid as to the council may seem convenient."

respect of children is "to set (them) to work or put (them) out as apprentices." No general duties as regards education and welfare are specifically laid upon the authorities by the Act. Sections 53-57, however, empower the authority to provide for the children by maintaining them in institutions described as "schools." They may—

(*a*) establish "separate schools" for the "relief and management of the children to be received therein";

(*b*) send children to "schools" supported wholly or partially by voluntary subscriptions which are certified by the Minister as being fitted for the reception of children, and pay the reasonable expenses of maintenance, clothing and education;

(*c*) send deaf and dumb or blind children to special schools fitted for their reception whether certified or not.

17. The authorities may with the Minister's consent make annual subscriptions towards the support and maintenance of voluntary agencies from which persons in receipt of relief have or could have assistance (Sec. 67), and this provision is regarded as authorising the placing of children in voluntary Homes not certified by the Minister.

18. Although the Poor Law Act does not specifically authorise the boarding-out of children it contains (in Sec. 52 (3)) one passing reference which implies that boarding-out is one of the recognised methods of providing for the care of destitute children, and Part VI of the Public Assistance Order, 1930, contains detailed rules on the subject.

19. A very important provision is that contained in Section 52 of the Act which empowers a county or county borough council to resolve in certain circumstances that all the rights and powers of a parent or of both parents of a child shall vest in the council until the child reaches the age of eighteen years. The circumstances in which this action may be taken are that the child is deserted or is a total orphan or that the parents are in certain specified respects unable or unfitted to have control of the child. The power is subject to a right of appeal by a parent or guardian to a Court of summary jurisdiction which may by order determine the resolution. Under Section 52 (7) of the Act public assistance authorities may give consent to the "adoption" by private individuals of children maintained by the authorities, and may revoke their consent at any time during a period of three years from the date of the adoption. During that period they must arrange for the child to be visited at least twice a year. These provisions do not apply to legal adoptions under the Adoption of Children Act, 1926.

20. Section 26 requires county and county borough councils to provide for the reception of children and young persons brought to a workhouse in pursuance of the Children Act, 1908 (now the Children and Young Persons Act, 1933, Sec. 67, "places of safety"). Other provisions of the Poor Law Act, 1930, empower the local authorities to bind destitute children to be apprentices (Secs. 59-66), to procure, subject to the Minister's consent, the emigration of orphan and deserted children (Sec. 68) and to assist boys entering the naval service (Sec. 69). We are informed that little use is now made of these powers.

21. The Minister is required to appoint inspectors for the purpose of assisting in the execution of the Act. The inspectors are "entitled to visit and inspect every workhouse or place wherein any poor person in receipt of relief is lodged" and to take part in the proceedings of councils and committees dealing

with poor relief (Sec 9). Public assistance authorities are empowered to send their own inspectors to visit any " certified school " to which they have sent children (Sec. 57 (2)).

22. The Public Assistance Order, 1930, as amended by the Public Assistance (Amendment) Order, 1945, made by the Minister of Health in the exercise of his powers under the Poor Law Act, 1930, contains detailed rules and regulations for the administration of public assistance including the management of institutions, hospitals and children's homes, and lays down conditions under which the authorities may provide for poor children by boarding them out with foster parents.

Children in Workhouses

23. Article 27 of the Public Assistance Order, 1930, prohibits the retention of any child between the ages of 3 and 16 in " the institution " for more than six weeks except in the sick wards or on medical grounds. Thus, apart from the sick, the only children over three years of age who should be found in workhouses are those who are admitted in emergency or as a temporary measure. We are, however, informed by the Ministry of Health that the enforcement of this Article has always been a matter of difficulty and this is confirmed by our own investigations. The retention of children under 3 in nurseries in public assistance institutions is common, but the establishment of separate nurseries is growing, with official encouragement.

" Separate Schools "

24. The term " separate school " originally meant a self-contained residential establishment, usually of the " barrack " type, in which education was given on the premises, but the statutory power to establish such " schools " is now taken to cover a variety of types of children's Homes in very few of which is education provided for internally; the children normally go out to the ordinary day schools in the neighbourhood of the Homes.

The main types are as follows:—

(*a*) Homes forming a single unit, large or small, usually in the charge of a superintendent and matron;

(*b*) Grouped " Cottage " Homes, i.e. groups of small Homes each containing 10-30 children in charge of a foster mother, under a superintendent and matron;

(*c*) " Scattered " Homes, i.e. small Homes, usually in ordinary dwelling houses, scattered throughout a district—each in charge of a foster mother under central supervision;

(*d*) Receiving Homes, i.e. Homes, usually small, specially set apart for the initial reception of children pending a decision on their permanent disposal, or for short-stay cases.

" Certified Schools "

25. The term " schools " is here also, as in the case of the " separate schools " an anachronism as very few of the voluntary Homes certified by the Minister of Health for the reception of Poor Law children provide education on the premises. Rather more than 200 such Homes are certified, and more than half of these belong to the large voluntary organisations which are members of the National Council of Associated Children's Homes.

Uncertified Voluntary Homes

26. A small number of Poor Law children are sent to voluntary Homes not certified by the Minister, generally where the Home in question provides facilities adapted to the special needs of the particular child.

Special Provision for Handicapped Children

27. Apart from the specific power given by Section 58 to send children to special schools for deaf and dumb or blind children, we are informed that it has long been recognised as competent to a public assistance authority to send a sick person, whether child or adult, to any appropriate hospital or other establishment for medical treatment. Some of the children for whom the authorities are responsible are accordingly to be found in hospitals and in special schools or institutions, municipal or voluntary, for the care of handicapped children, including the deaf and dumb and the blind.

Boarding Out

28. The boarding out of Poor Law children was, until 1945, restricted by Article 92 of the Public Assistance Order, 1930, to orphan or deserted children and children in respect of whom the authorities had assumed parental rights and powers under Section 52 of the Poor Law Act, 1930. We are informed that departure from the requirements of this Article had for some years been freely authorised by the Minister of Health and the Article was eventually in February, 1945, revoked by the Public Assistance (Amendment) Order, 1945. The immediate object of the change was to facilitate the continuance of private care for Poor Law children who had been billeted under the evacuation scheme. The Regulations require the appointment of area boarding out committees to supervise the boarding out arrangements, and authorise the appointment of paid boarding out visitors to visit the children. We are informed that 85 authorities employ paid visitors only, 21 employ voluntary visitors only and 26 employ both paid and voluntary visitors. Each foster home must be visited not less often than once in every six weeks by a woman member of the committee or by a paid visitor. A child must not be boarded out without a certificate of a medical officer as to his bodily health and mental condition and his suitability for boarding out, and the council is required to arrange for the provision of necessary medical and dental care. The inspectors of the Ministry of Health are empowered by Section 9 of the Poor Law Act 1930 to visit and inspect foster homes, and the foster parents are required by the Rules to give an undertaking to permit the child and the home to be examined at any time by the Ministry's inspectors, by members of the boarding out committee or by persons authorised by the Minister, the council or the committee. The number of children boarded out by public assistance authorities was approximately 5,700 in 1939. In 1946, owing largely to the effects of war the number had been reduced to 4,900.

Assumption of Parental Rights

29. The number of children subject to resolutions under Section 52 in 1945 was 5,700. This is about 16 per cent. of the children in the care of the Poor Law authorities. We are informed that resolutions once taken are rarely rescinded by the authority or determined by the Courts.

Finance

30. The cost of the maintenance of destitute children under the Poor Law Act is borne on the county and county borough rates. There is no direct

grant from the Exchequer in aid of this service, but the expenditure is, in common with other expenditure of local authorities, taken into account in the calculation of the Exchequer block grant.

Inspection

31. The inspection of Poor Law Children's Homes and of voluntary Homes in which Poor Law children are received is carried out under the direction of the General Inspectors of the Ministry of Health, who are responsible for the inspection of the whole field of Poor Law administration. There are 11 General Inspectors, assisted by 11 Assistant General Inspectors and 11 Women Inspectors. The Women Inspectors are State Registered nurses, usually with a Health Visitor qualification, and are responsible for the inspection of the Maternity and Child Welfare work of the local authorities as well as the public assistance work. The actual inspection of Children's Homes and Nurseries has until recently been undertaken by the Women Inspectors but is now being shared by the Welfare Officers of the Ministry; these are women with experience in social work, originally employed to supervise the welfare of evacuated women and children during the war. There are 11 Welfare Officers.

Numbers of children maintained

32. The approximate numbers of children maintained by public assistance authorities at 1st May, 1946, excluding rate-aided patients in mental hospitals and children receiving out-relief in their own homes, are shown in the following Table.

TABLE I

HOSPITALS AND INSTITUTIONS:		
Sick Wards	3,456	
Nurseries and other wards	*3,044	6,500
CHILDREN'S HOMES:		
Grouped Cottage Homes	7,024	
Scattered Homes	4,662	
Other Homes—		
(including separate nurseries) ...	5,209	16,895
VOLUNTARY HOMES, ETC. (certified and uncertified):		
Special schools	657	
For other than sick	†3,941	4,598
BOARDED OUT		4,892
		32,885

EVACUATED CHILDREN LEFT HOMELESS

33. On 31st March, 1946, there remained billeted or accommodated in hostels or nurseries in the reception areas 5,200 children who for various reasons were unable to return to homes of their own. Some are orphans, others have a parent or parents who cannot provide a home for them. These children

* Including in the "other wards of general institutions" 326 children between 3 and 16 years of age who were in separate wards for children.

† In the voluntary homes are about 15,000 non-Poor Law children also supervised by the Ministry of Health.

might have become chargeable to the Poor Law authorities but having regard to the fact that their situation was largely attributable to the war, the Government decided to provide for them by an interim scheme until new arrangements for the care of destitute children generally are brought into being.

34. The children continue to be billeted or accommodated in hostels, nurseries or special schools for the handicapped, the Exchequer paying the billeting allowances or equivalent sums during the interim period. The responsibility for the welfare of the children and for the balance of the cost including the provision of clothing and pocket-money has been assumed by the county or county borough councils of the areas from which the children were evacuated, the actual work of supervision being delegated to the county or county borough councils of the areas in which the children are now living. About 3,000 of the children are billeted in private households, about 1,200 are in hostels and 1,000 in residential nurseries and special schools.

35. Hostels to the number of over 500 were established during the war to provide for the care of evacuated children who for various reasons including difficulties of behaviour could not be billeted. At 30th April, 1946 there remained 114 hostels, almost all of which were of the type catering for difficult children. In addition to the 1,000 evacuees, the hostels contain about 500 children who have been sent there solely on account of the treatment which the hostels are able to provide, viz. (a) maladjusted children for whom local education authorities have assumed responsibility under Section 33 of the Education Act, 1944, (b) children committed to the care of local education authorities under the Children and Young Persons Act, 1933 and unsuitable for boarding out, (c) children maintained by public assistance authorities and voluntary organisations for whom the hostels provide the most suitable form of care.

36. The hostels are being maintained at present under powers contained in the Defence Regulations as part of the provision made for evacuation and they must in due course be closed down unless they are taken over and adapted to the use of some peace-time service. We are informed that the Ministry of Education, in February, 1945, suggested to a number of local education authorities that they might consider taking over hostels to serve as residential schools for maladjusted children but that, at the date of our latest information (July, 1946) only two hostels had been taken over in this way.

CHILDREN BROUGHT BEFORE THE COURTS AS DELINQUENT OR IN NEED OF CARE OR PROTECTION

37. The next main group of children with whom our enquiry is concerned consists of those who have been brought before a Magistrates' court and dealt with in accordance with the provisions of the Children and Young Persons Acts, 1933 and 1938. The 1933 Act defines children as under 14 years of age and young persons as between 14 and 17 years of age. For convenience we refer to them all as children except where it is necessary to make the distinction. Under Part III of the 1933 Act, children may be removed from their homes by order of the juvenile courts because they are offenders against the law, refractory or beyond control, or in need of care or protection. The Act fixes the age at which a child can be charged with an offence at eight years (Sec. 50) and requires the courts in dealing with all children who come before them whether as offenders or in need of care or protection or otherwise, to have regard to their welfare, to have them removed from undesirable surroundings, and to have provision made for their education and training. In order to achieve this the Court may—

(i) commit the child to an "approved school", i.e. a school approved by the Secretary of State for the purposes of education and training;

(b) commit the child to a " fit person " who is willing to receive it (a local authority may be a " fit person " for this purpose).

38. According to the evidence of the Home Office, it is often an accident whether a child is brought before the Court for an offence or as a neglected child, and it is accordingly appropriate that the same methods of treatment should be equally available in either case. The Court may, instead of adopting either of the two courses mentioned in paragraph 37 place the child (if an offender) on probation or (if a non-offender) under supervision, either in his own home or with a requirement that he should reside in some specified place. The Courts may not send children under ten to approved schools unless they cannot suitably be dealt with otherwise. Pending a first or later hearing before the Court, the child may be taken to a remand home, either as a place of safety or for purposes of temporary detention, or he may be detained in a remand home while awaiting a vacancy in an approved school.

Approved Schools

39. Local authorities are empowered, with the approval of the Secretary of State, and either alone or in combination, to provide and maintain approved schools, and have the duty of doing so where there is a deficiency of approved school accommodation (Sec. 80).

40. The Secretary of State is empowered to classify approved schools according to age of pupils, religious persuasion, character of education and training, geographical position, etc., so as to secure that a child is sent to a school appropriate to his case; and the managers of an approved school are, subject to certain qualifications, bound to accept any person sent to the school in pursuance of the Act (Sec. 81).

41. The schools are classified according to the ages of the children at the date of committal, thus—

Boys: Junior—under 13.
Intermediate—13 and under 15.
Senior—15 and under 17.

Girls: Junior—under 15.
Senior—15 and under 17.
Two girls' schools have recently been classified as Intermediate, taking girls aged 13-15.

Generally the allocation of children to schools is made centrally by the Home Office. A start has been made with the establishment of classifying schools, where children may stay for a short period before being transferred to schools suited to their needs.

42. The Fourth Schedule to the 1933 Act, which contains detailed provisions relating to the administration of approved schools, confers upon the managers full parental rights and powers in relation to the children committed to their care. An order for committal to an approved school does not specify the period of detention, which is left to the discretion of the managers of the school having regard to the progress made, subject to the limits specified by the Act. Children under 12 may be detained up to the age of 15, and no child may be detained beyond the age of 19; otherwise the period of detention is limited to a maximum of three years. The managers are required to place out the boys and girls on licence as soon as they have made sufficient progress but the consent of the Secretary of State must be obtained for placing out during the first twelve months. A boy or girl may, with the consent of the Secretary of State, be detained beyond the maximum period, if necessary to complete training, but not for longer than six months and not in any case beyond the age of 19.

43. The Act contemplates the exercise of after care by providing (Sec. 74(1)) that every person on completing his period of detention shall remain under the supervision of the managers until at least the age of 18, and if over 15, for a period of three years or until the age of 21 at the latest; and shall be subject to recall at any time while under the age of 19. Employment is found for boys and girls on leaving the schools and where necessary they are placed in suitable lodgings or hostels. Supervision may be exercised by the headmasters and staff, by welfare officers attached to the schools, by local education authorities or by probation officers.

44. There were at the date of our enquiry 141 approved schools in England and Wales, of which 30 were managed by local authorities and 111 by voluntary organisations. There were 89 schools for boys (9,960 places), 51 for girls (2,300 places), and one mixed school (20 places). The number of committals has averaged about 5,600 per annum in recent years.

Committal to the care of " Fit Persons "

45. As regards committal to the care of " fit persons," it will be noticed that the local authority, like other " fit persons," is not obliged to take the child. The Secretary of State is empowered to make rules as to the treatment of children and young persons committed to the care of " fit persons," and to provide for the visiting of children and young persons committed to the care of local authorities (Sec. 84 (2)).

46. Local authorities are empowered to board out children and young persons committed to their care subject to any rules in this regard made by the Secretary of State; and are required to select for this purpose, if possible, a person who is of the same religious persuasion as the child or young person or who gives an undertaking that he will be brought up in accordance with that religious persuasion (Sec. 84(3)).

47. The provisions made by the Acts and Rules for the committal of children to the care of local authorities as " fit persons " and for their being boarded out by the authorities follow the recommendations of the Departmental Committee on the Treatment of Young Offenders which reported in 1927. The number of children under committal rose from 354 in 1934 to approximately 13,000 in 1945. Of the latter number, about 10,000 were committed to local authorities and the remainder to individuals or voluntary organisations.

48. The Children and Young Persons (Boarding Out) Rules, 1933, make boarding out obligatory on the local authority subject to exception for special cases with the consent of the Secretary of State and prescribe the measures to be taken for the care and supervision of the children. The local authority must arrange for every foster child to be visited within a month of his being boarded out and thereafter not less frequently than once every three months. Where a number of children are boarded out in the same locality the local authority is required to appoint a boarding out Committee, if practicable, whose duty it is to see to the care and supervision of the foster children. The visitation of the foster homes may be undertaken by members of the Committee or by paid visitors. A foster child must not be boarded out without a certificate of a Medical Officer as to his bodily health and mental condition and his suitability for boarding out. The local authority is required to arrange for medical attention and dental treatment to be available, and every foster child must be medically examined within a month of being boarded out. The Rules authorize the inspectors of the Home Office to visit foster children, and the foster parent is required to give an undertaking to permit the child and its home to be examined at any time by a Home

Office inspector or any person authorized by the local authority. Circulars issued by the Home Office on the advice of the Local Authorities Advisory Committee (set up by the Home Secretary in 1936) recommend co-operation with the staff engaged in boarding out under the Poor Law and in Child Life Protection work under the Public Health Act and also co-operation between neighbouring authorities. The employment of trained special officers on the work is also recommended.

49. Under the financial provisions of the 1933 Act the cost of maintaining children committed to the care of the local authorities is shared equally between the authorities and the Exchequer, and the Home Office prescribes the maximum boarding out payments ranking for grant. These were increased in 1944 from 15s. to 20s. per week for school children with an allowance of £12 for the provision of a clothing outfit. The maximum weekly allowance in the case of wage-earners is subject to the condition that the allowance plus net wages shall not exceed 30s., the net wages being arrived at by deducting insurance, fares and a maximum of 7s. for pocket money.

Remand Homes

50. Every county and county borough council is required to provide remand homes for its area, either within or without the area, and either alone or jointly with another county or county borough council. Arrangements may be made with the authority or persons responsible for the management of any institution, other than a prison, for the use of the institution or any part thereof as a remand home (Sec. 77).

51. The Secretary of State is required to provide for the inspection of remand homes and may make rules as to the places to be used and their inspection, as to the classification, treatment, employment and control of the children and young persons detained therein, and as to their visitation by persons appointed for the purpose (Sec. 78).

52. The primary purpose of the remand homes is the custody of children committed thereto by the courts on being remanded or committed for trial. (Sec. 33). Children may also be lodged in remand homes on apprehension by the police (Sec. 32(2)). Other purposes for which remand homes may be used are:—

(*a*) as " places of safety." Under Section 67 of the 1933 Act a child in need of care or protection may be lodged in a " place of safety," which is defined in Section 107 as " any remand home, workhouse, or police station or any hospital, surgery or other suitable place, the occupier of which is willing temporarily to receive a child or young person ";

(*b*) with the consent of the Secretary of State, for the accommodation of children committed to the care of the local authority and awaiting boarding out;

(*c*) for the detention of boys and girls awaiting admission to approved schools (Sec. 69). This use of remand homes has assumed a substantial scale and importance by reason of the acute shortage of approved school accommodation resulting from war-time conditions;

(*d*) as places of punitive detention. Section 54 of the Act empowers a court to order the detention of a child or young person in a remand home for a period not exceeding a month. We are informed that this power has been little used, because of the objection to associating in a remand home children under punishment with others who are merely awaiting the decision of the Court;

(*e*) As places of detention for absconders from approved schools under the age of 17 pending return to the school or appearance before a court.

Probation and Supervision

53. A child or young person who is brought before a Court as an offender may be released on probation (Probation of Offenders Act 1907), and the recognizance into which he enters may contain, inter alia, a condition with respect to residence (Criminal Justice Administration Act, 1914, Sec. 8).

54. A child or young person who is brought before a court as in need of care or protection, beyond control or a truant may be placed under the supervision of a probation officer, and the supervision order may contain, inter alia, provisions determining the place at which the child or young person is to reside (Children and Young Persons Act, 1933, Secs. 62, 64 and 84, Children and Young Persons Act, 1938, Secs. 2, 3 and 4, Education Act, 1944, Sec. 40). A residence provision in a probation or supervision order may require a child or young person to reside elsewhere than in his own home, and it is in such circumstances that he comes within our terms of reference.

55. The Criminal Justice Act, 1925 (Sec. 5), empowers local authorities to contribute towards the expense of maintaining persons released on probation under a condition as to residence and provides for payments towards such expenses out of moneys provided by Parliament.

56. The power of the justices to direct a boy or girl to live away from home under a probation or supervision order is severely limited. It cannot be exercised in the case of an offender of any age or of a non-offender over 14 years of age without the consent of the boy or girl concerned. No person under 17 can be required to live in any institution not subject to inspection by the Secretary of State unless he is to be employed outside it.

57. The places of residence where children under probation or supervision may be required to live include (i) institutional Homes where some training is given, (ii) hostels from which the boy or girl goes out to work, (iii) lodgings in a private household from which the boy or girl may go out to school or to work. Homes or hostels may be approved by the Home Office for the purposes of Exchequer grant if they observe certain requirements, but may be and often are used for probation and supervision cases although not approved for grant. At 30th June, 1946, 335 boys and 221 girls were resident in approved Homes and hostels.

58. There is no power to contribute to the maintenance of children under supervision orders but we are informed that power to contribute in these cases will be sought in forthcoming legislation. The power of local authorities to contribute to the maintenance of children on probation is unlimited by statute but is in practice controlled by conditions attached to the 50 per cent. grant made by the Exchequer. Thus, grant is limited to persons over 14, with a few exceptions and to residence in approved Homes or hostels or in lodgings. It is limited to six months residence in Homes and to twelve months in hostels or lodgings. In the vast majority of cases the residence direction is for six months, though in exceptional cases such as border line mental defectives it may be for much longer periods.

59. All approved Homes and hostels are regularly inspected by inspectors of the Probation Branch of the Home Office. Others are inspected by inspectors of the Children's Branch. Lodgings are usually left to the inspection of the probation officers who are responsible for supervision of the children throughout the period of residence.

Finance

60. The cost of providing approved schools and remand homes and the expenses of maintaining children sent to those schools and homes under the

provisions of the Children and Young Persons Acts, and of maintaining children who are committed to the care of the local authority as a "fit person" or are on probation are met as to one-half out of the Exchequer and as to one-half out of local rates.

Regulations

61. Regulations made by the Home Secretary in the exercise of his powers under the Children and Young Persons Acts are contained in—

(*a*) The Approved School Rules, 1933 (S.R. & O. 1933, No. 774);

(*b*) The Children and Young Persons (Boarding-out) Rules, 1933 (S.R. & O. 1933, No. 787);

(*c*) The Remand Homes Rules, 1939 (S.R. & O. 1939, No. 12).

Inspection

62. The Secretary of State is empowered to appoint a chief inspector and inspectors for the purpose of the enactments relating to children and young persons (Sec. 103). The main work of the inspectors in the Children's Branch, of whom there were, at the time of our enquiry, twenty (twelve men and eight women) is the inspection of approved schools and of voluntary Homes not inspected by other Departments. They are also responsible for inspection of the boarding out of children committed to the care of local authorities. Four of the inspectors are medical inspectors. There were also, in the Probation Branch, four men and three women inspectors who inspect probation Homes and hostels.

Numbers under Care

63. The approximate numbers of children now under care elsewhere than in their homes under orders of the Courts are shown in the following Table.

TABLE II

IN APPROVED SCHOOLS:		
Boys	9,000	
Girls	2,200	
		11,200
IN REMAND HOMES: (Boys and Girls)		
Local Authority	1,440	
Voluntary	100	
		1,540
COMMITTED TO THE CARE OF FIT PERSONS, VIZ.:		
(i) Local Authorities—		
(*a*) Boarded out	6,000	
(*b*) In institutional establishments	4,000	
	10,000	
(ii) Individuals and Voluntary Organisations	3,000	
		13,000
UNDER PROBATION OR SUPERVISION, VIZ:		
In Homes	200	
In Hostels	350	
In Lodgings	125	
		675
Total		26,415

HEALTHY CHILDREN MAINTAINED UNDER THE PUBLIC HEALTH ACT

64. Part VII of the Public Health Act 1936, gives local authorities power to make arrangements for the care of children under five who are not being educated in schools recognised by the Ministry of Education. These powers are exercised through Maternity and Child Welfare Committees and have been used by some authorities to establish residential nurseries for the care of children whose mothers are unable to take charge of them. In some instances the Maternity and Child Welfare Committee has taken over from the Public Assistance Committee the care of destitute children under five who are housed in nurseries. There is no right of entry to these nurseries by any government inspector. We are however informed that the medical officers and women inspectors of the Ministry of Health do in fact visit such establishments. The relevant section of the Act has also been taken, in a few areas, to cover the placing of infants in foster homes by the Public Health authority.

CHILDREN CARED FOR BY VOLUNTARY ORGANISATIONS

65. A large proportion of the children who have no homes of their own are cared for by charitable organisations without ever having been brought before a Court or made chargeable to a Poor Law Authority. The vast majority of such children are however under some degree of public supervision. Part V of the 1933 Children's Act provides for the registration and inspection of "voluntary homes," i.e. homes or other institutions for the boarding, care, and maintenance of poor children or young persons, being homes or other institutions supported wholly or partly by voluntary contributions, but excluding institutions certified or approved by the Board of Control under the Mental Deficiency Acts, 1913 to 1927, unless children or young persons who are not mental defectives within the meaning of these Acts are received therein (Sec. 92). Persons in charge of voluntary Homes are required, subject to penalties, to send to the Secretary of State annually prescribed particulars with respect to the Homes (Sec. 93).

66. The Secretary of State may cause any voluntary Home to be inspected from time to time, unless it is, as a whole, otherwise subject to inspection by or under the authority of a Government Department (Sec. 94). The Secretary of State, if satisfied that the welfare of the children and young persons in a voluntary Home is endangered, may serve upon the managers such directions as he thinks expedient for the welfare of the children and young persons in the Home. If such directions are not complied with, a court of summary jurisdiction may, on the complaint of any person appointed for the purpose by the Secretary of State, make an order for the removal of all children and young persons from the Home (Sec. 95).

67. The Home Office state in evidence that it has never been found necessary to operate the procedure prescribed in Section 95 of the Act, but that the existence of the power has greatly strengthened the hands of inspectors in dealing with unsatisfactory Homes. Since the date of the Act, four Homes have closed down under pressure from the Home Office.

68. At 31st March, 1945, there were 886 voluntary homes registered with the Home Office. The number of children under 17 in them was 33,500, viz., 17,700 boys and 15,800 girls. Approximately 50 Homes were inspectable by the Ministry of Education as special schools for handicapped children, 2 by the Board of Control under the Mental Deficiency Acts, 375 by the Ministry of Health under the Poor Law Act, and 459 by the Home Office. 471 Homes are managed by the large national societies, each of which has a

central committee of management and local committees for most of the branches. 324 Homes are managed solely by local committees, and 91 are not managed by a committee. 736 Homes are attached to some religious denomination, viz., Church of England 392, Free Churches 185, Roman Catholic 130, Jewish 29; 150 are undenominational. About half the Homes are general in character, taking in children of all ages and keeping them until they are independent; the rest are specialised in one way or another, e.g. training Homes, probation Homes and hostels, mother and baby Homes, Homes for handicapped children.

69. Homes not wholly or partially supported by voluntary contributions, e.g. fully endowed Homes, are outside the scope of the provisions of the 1933 Act and are accordingly subject to no public control or supervision unless they receive Poor Law children, or mentally defective children, or are special schools for handicapped children, in which case they are inspected by the appropriate Department. We have been unable to obtain any satisfactory evidence of the number of such Homes or the numbers of children in them. In a later section of this report we make certain recommendations concerning these Homes.

CHILDREN MAINTAINED FOR REWARD

70. The Public Health Act, 1936 (Secs. 206-220) and the Public Health (London) Act, 1936 (Secs. 256-272) make provision for the protection of "foster children", i.e. children under nine years of age who are "nursed and maintained by any person for reward apart from their parents, or having no parents." (References in the following paragraphs are to the relevant sections of the Public Health Act, 1936.) Any person undertaking such nursing and maintenance for reward must notify the welfare authority before the child is received, not less than seven days beforehand for the first child so received and not less than 48 hours beforehand for any subsequent child. "Reward" includes money or money's worth and is irrespective of profit (Sec. 206). A person maintaining a "foster child" must give at least seven days notice of any change of residence, and if he moves into the area of another welfare authority, he must give notice to both authorities. In case of an emergency move, the notice may be given within 48 hours after the change of residence. Notice must be given to the welfare authority and to the person from whom the child was received within 24 hours after the death of a "foster child" or his removal from the care of the foster parent (Sec. 207).

71. Welfare authorities are required to inquire from time to time whether any persons residing in their area undertake the care of foster children, and if so, either to appoint child protection visitors or authorise other suitable persons (one at least of whom must be a woman) to visit and satisfy themselves as to the health and well-being of the children and give any necessary advice or directions as to the care of their health and their maintenance. A philanthropic society may be authorised to exercise these powers in respect of any children placed out by the society and must, in that case, furnish periodical reports to the welfare authority. The child protection visitor or other authorised person has the right of entry to any premises where foster children are kept or where he has reason to believe that they are being kept (Sec. 209).

72. The welfare authority may fix the maximum number of children under nine years who may be kept in any premises in which a foster child is kept and may impose conditions where a specified number of such children is exceeded (Sec. 211). If a foster child is about to be received or is being kept in overcrowded, insanitary or dangerous premises, or by persons unfit to have the care of the child, in contravention of any of the provisions of the Act, or in an environment detrimental to the child, a court of summary jurisdiction may, on the application of the welfare authority, order his removal

to a "place of safety" until other arrangements can be made; in emergency a Justice may make the order on the application of a visitor or other authorised person (Sec. 212).

73. Exemption from the child life protection provisions extends to—
(i) children cared for by relatives or legal guardians;
(ii) persons undertaking the care of children boarded out under the Poor Law or Children and Young Persons Acts;
(iii) schools, hospitals or homes maintained by a Government Department, local authority or body constituted by special Act of Parliament or incorporated by Royal Charter;
(iv) schools, hospitals or homes exempted by certificate of the welfare authority;
(v) mental defectives in institutions or elsewhere who come within the purview of the Board of Control.

The welfare authority also has certain powers of partial exemption in special cases (Sec. 219).

74. The "welfare authority" for the purposes of the Public Health Act, 1936 is—
(i) In a county borough, the county borough council;
(ii) In a county district, the council, whether of the county or the district who immediately before the commencement of the Act were the local authority for the purpose of the Notification of Births Acts, 1907 and 1915.

Where in any county district the welfare authority is not the local education authority for elementary education, the Minister of Health may, by order, declare that the latter authority shall be the welfare authority in lieu of the former.

75. The authorities concerned with the child life protection service are the authorities who administer the maternity and child welfare services, and the work of the child protection visitor is normally entrusted to the Health Visitors, who are generally State Registered Nurses who have had special training in health education. The work of the welfare authorities, including the child life protection work, is carried out under the general supervision of the women inspectors of the Ministry of Health, who are State Registered Nurses and Certified Midwives and generally hold a Health Visitor's Certificate. The women inspectors, unlike the local authority's child protection visitors, have no statutory right of entry to foster homes.

76. At the end of 1944 there were 14,213 children under the supervision of welfare authorities in England and Wales in accordance with the Child Life Protection provisions of the Public Health Act. Of these 1,811 were in voluntary Homes or institutions not exempted under the Act and 1,709 in residential nurseries run for profit.

CHILDREN PLACED FOR ADOPTION

77. Legal adoption was introduced into this country by the Adoption of Children Act, 1926, which was based on the recommendations of the Child Adoption Committee under the chairmanship of Lord Tomlin. Applications for adoption orders can be made at the option of the applicant to the High Court, County Court or Juvenile Court (Sec. 8(1)). An adoption Order is irrevocable but an adopted child can be readopted either by its parents or by a third party (Sec. 7). Applications are dealt with in private and Rules made by the Lord Chancellor prescribe the procedure in each type of Court. Every Court must appoint some person or body to act as guardian *ad litem* with the duty of safeguarding the interests of the child before the Court, and for that purpose investigating as fully as possible all the circumstances of

the child and the applicant and all other matters relevant to the proposed adoption. A local authority may, with its consent, be appointed guardian *ad litem*.

Interim Orders

78. The Court may postpone determination of an adoption application by making an interim order. This gives the custody of the child to the applicant for not more than two years by way of a probationary period. An interim order cannot be made without all the consents required for an adoption order (Sec. 6).

Registration of Adoptions

79. Every adoption order is registered in the Adopted Children Register at the General Register Office. A certified copy of an entry in the Adopted Children Register (which does not show the birth name of the child or its parentage) serves as evidence of adoption and of date of birth (where known) as though it were a certified copy of an entry in the Register of Births.

Adoption Societies and Agencies

80. The Adoption of Children (Regulation) Act, 1939, was based on the recommendations of the Departmental Committee on Adoption Societies and Agencies under the chairmanship of Miss Florence Horsbrugh. In view of the outbreak of war its operation was postponed by the Postponement of Enactments (Miscellaneous Provisions) Act, 1939, and it was not brought into force until the 1st June, 1943. The Act prohibits any body of persons other than a registered adoption society or local authority from making arrangements for adoptions and provides for the regulation of the work of registered adoption societies. It also provides for the supervision of children under 9 who are placed for adoption through the agency of a third party but arrangements for adoption made direct between a child's parent or guardian and an adopter in this country are not affected. The Act also prohibits adoption advertisements by individuals, regulates the sending of children abroad for adoption, and prohibits the giving or receiving of money in connection with adoption, except with the consent of the court.

81. A body of persons, other than a local authority, may not make arrangements for adoptions unless registered with the county or county borough council for the area in which their administrative centre is situated (Sec. 1 (1)). Only charitable associations may be so registered (Sec. 2 (2)). Registration may be refused or cancelled on the ground that the activities of the society are not controlled by a committee of members responsible to the members of the society, or that any person proposed to be employed or employed for the purpose of making arrangements for adoption is not a fit and proper person to be so employed, or that the number of competent persons proposed to be employed or employed is insufficient having regard to the extent of the activities of the society, or that any person taking part in the management or control of the society or any member of it has been convicted of an offence under the Act. Societies have the right of appeal against refusal, or cancellation of registration (Sec. 3). After registration the authority is entitled to inspect the books of the society and to be given information to enable them to decide whether registration should be cancelled (Sec. 5).

82. The Adoption Society Regulations, 1943, prescribe the information to be given by an adoption society to a parent or guardian who proposes to place a child at the disposal of the society (Regulation 3 and Second Schedule), and the points on which enquiry must be made and reports obtained in the case of every child proposed to be delivered by or on behalf of a registered adoption society into the care and possession of an adopter (Regulations 4 and 5 and Third Schedule). Regulation 7 requires adoption societies to make adequate arrangements for care and supervision of children placed by their parents or guardians in the care of the society, and to visit in the first month and thereafter at least once in every three months, every such child who is not living under the direct control of the society and is not subject to visits by the local welfare authority.

" Third Party " Arrangements

83. Under Section 7 of the Act any person who, not being the parent or guardian of the child or the person in whose care and possession he is to be placed, participates in the arrangements for placing a child under 9 must give seven days' notice in writing to the welfare authority. Thereafter, until a legal adoption order is obtained, the child and the home in which he is placed are subject to broadly the same degree of supervision with the same powers of inspection and removal, etc., as are provided, in the case of the child under 9 maintained for reward, by the Child Life Protection provisions of the Public Health Act (see paragraphs 70-76 above), and the work is generally carried out by the child protection visitors of the welfare authority. Any adopter or other person giving or receiving remuneration or reward in connection with any " third party " adoption arrangements is guilty of an offence.

Numbers

84. The number of legal adoptions between the passing of the Adoption of Children Act; 1926, and the end of 1945 was 127,189, the number in the last year being 16,357, of which approximately 4,000 were effected through registered adoption societies. At the end of 1944 there were 2,441 children under the supervision of welfare authorities as having been placed for adoption by third parties.

HANDICAPPED CHILDREN EDUCATED AWAY FROM HOME

85. The Education Act, 1944, makes provision for the care of children who, by reason of physical or mental handicaps, are obliged for educational reasons to live elsewhere than in their own homes. By Section 8 (2) (c) local education authorities are required to provide, either in special schools or otherwise, special educational treatment for (educable) pupils suffering from any disability of mind or body. Section 33 empowers the Minister of Education to make regulations defining the categories of pupils requiring special educational treatment, making provision as to the special methods appropriate for the education of pupils of each category, and as to the approval of schools as special schools. Section 34 requires local education authorities to ascertain what children in their area require special educational treatment, and to provide such treatment.

86. The Handicapped Pupils and School Health Service Regulations, 1945, made by the Minister of Education, define the categories of pupils requiring special educational treatment and prescribe the modes of education to be provided. Blind, deaf, physically handicapped, epileptic and aphasic children must be educated in special schools, which in the case of the blind and epileptic children must be boarding schools. Other classes of handicapped children may be educated in ordinary schools where certain prescribed conditions are fulfilled. The Regulations prescribe the conditions for approval of special schools, e.g., minimum number of pupils, maximum size of classes, qualifications of staff, etc. They also provide for the approval by the Minister of boarding homes and for the inspection by the local authority at least once a term of foster homes in which handicapped pupils are boarded out; for the latter purpose local authorities are advised in a covering circular to employ, if possible, trained social workers or school nurses with health visitor qualifications.

87. A number of the special schools recognized by the Ministry of Education are conducted in hospitals or sanatoria where children are undergoing prolonged treatment, and the Regulations provide for the modification, with the Minister's approval, of the standard conditions to meet the special circumstances of the hospital regime. Residential special schools are in general

tional and domestic sides, but hospital and sanatorium schools in which the general regime is under the control of the hospital authority are inspected only on the educational side.

88. According to the latest information available to the Ministry of Education there are approximately 14,500 children in residential special schools in England and Wales, 6,300 being in schools provided by local education authorities and 8,200 in schools provided by voluntary bodies.

MENTALLY DISORDERED AND MENTALLY DEFECTIVE CHILDREN

89. The care and treatment of persons suffering from mental illness in England and Wales are governed by the provisions of the Lunacy and Mental Treatment Acts, 1890 to 1930, and the Mental Treatment Rules, 1930. Patients dealt with under these provisions are accommodated in public mental hospitals, registered hospitals, licensed houses, nursing homes, Poor Law institutions, and public hospitals and in single care (in private houses).

90. The care of the mentally defective in England and Wales is governed by the provisions of the Mental Deficiency Acts, 1913 to 1938, and the Mental Deficiency Regulations, 1935. Mental defectives dealt with under these provisions are accommodated in certified institutions provided by local authorities, approved public assistance institutions, certified houses, and approved homes, and under individual guardianship.

91. Responsibility for the administration of the Lunacy and Mental Treatment Acts and Mental Deficiency Acts rests with the Board of Control, consisting of a chairman and four senior Commissioners appointed by the Crown, and responsible to the Lord Chancellor and the Minister of Health. The Board supervises the observance of the statutory requirements in connection with the reception, detention, treatment and discharge of mental patients and the protection and control of defectives. In particular, it provides for the periodic visitation by visiting commissioners of every hospital and institution in which mental patients or defectives are accommodated and of every mental defective under guardianship. Councils of counties and county boroughs are required to provide for the care of persons of unsound mind and mental defectives in their areas; administration is carried out through visiting committees and committees for the mentally defective.

92. The number of known children of unsound mind (lunatics) is relatively small. The majority are in public mental hospitals where there were about 400 in 1945. The number in public assistance institutions and public health hospitals is not known to the Board of Control who receive no records although they visit and inspect.

93. The children dealt with under the Mental Deficiency Acts are those who are incapable of receiving education in a school, educable children being the responsibility of the education authorities. Section 57 of the Education Act, 1944, places upon local education authorities the duty of notifying the local authority for the purposes of the Mental Deficiency Act, 1913, of any child over two years of age found to be incapable, by reason of disability of mind, of receiving education at school. A similar notification is required to be given before the attainment of school-leaving age of any school-child who by reason of disability of mind appears to require supervision after leaving school. Considerable numbers of certified mentally defective children are in public assistance establishments approved for the reception of defectives by the Board of Control under Section 37 of the Mental Deficiency Act, 1913. We are informed that this is a temporary measure due to the lack of sufficient accommodation in certified institutions. There is also an unknown number of uncertified mentally defective children in such establishments, also in workhouses not approved for the reception of defectives and in children's Homes; these children are not subject to visitation by the commissioners or inspectors of the Board of Control.

94. The following table shows the numbers of certified mentally defective children under care at 1st January, 1946.

TABLE III

In the State Institution	24
In Local Authority Certified Institutions	5,817
In Approved Public Assistance Institutions	1,153
In Certified Homes	29
In Approved Homes	279
Under Guardianship	210
	7,512

CHILDREN ORPHANED BY THE WAR

95. The War Orphans Act, 1942, applying and extending the provisions of Section 9 of the War Pensions (Administrative Provisions) Act, 1918, makes it the duty of the Ministry of Pensions to provide for the care of children for whom pensions or allowances are payable in respect of the death of a parent in the war and who are suffering from neglect or want of proper care. This duty continues until the child attains the age of 21, although the pension or allowance may, and generally does, cease before that age. By Section 76 of the Children and Young Persons Act, 1933, a child for whose care it is the duty of the Minister of Pensions to provide may, by order of the Court, be committed to his care or to the care of a person appointed by him. The Minister also has power, under the Royal Warrants, to administer pensions payable in respect of any children, i.e., to apply them in any manner he thinks fit for the benefit of the children concerned.

96. As regards the great majority of the orphaned children for whose care the Minister has to provide, the arrangements are confined to the visiting of the homes to advise and assist the de facto guardians regarding the child's health, welfare, education and employment, and to co-operation with school teachers and employers. Some 3,200 children are being supervised in this way. A further 850 children are supervised in their own homes because of unsatisfactory home circumstances which necessitate a pension being administered by the Minister.

97. Entire custody had, at the date of our enquiry, been assumed by the Minister in the case of 411 children by committal under Section 76 of the Children and Young Persons Act, 1933, or at the instance of local authorities who had assumed parental rights by resolution under Section 52 of the Poor Law Act, 1930, or by the Minister's own powers under the War Orphans Act, 1942. With the exception of 11 children placed in institutional accommodation for special reasons these children were all boarded out with selected foster parents. The children are provided with a complete outfit of clothes and the foster homes are regularly visited to ensure the welfare of the children. For the purpose of carrying out his responsibilities towards the children for whose supervision he has to provide, the Minister employs 18 whole time Regional Children's Officers (all women) working under the direction of a Children's Branch at the Headquarters of the Ministry.

SUMMARY OF EXISTING ARRANGEMENTS

98. We are now in a position to give a summary description of the very complicated position revealed in the foregoing paragraphs of our Report. Responsibility for providing or supervising the substitute home for the

deprived child may be taken by the State, by local authorities, by voluntary organisations or by private persons. The State through the Ministry of Health supervises the work of local authorities in caring for destitute children under the Poor Law. Such children may, however, be accepted by voluntary Homes independently of any public authority, in which case, if the voluntary organisations concerned receive subscriptions from the public, the State, through the Home Office, brings them under inspection; or it may do so through the Ministry of Health if that Department "certifies" the Homes as suitable for Poor Law children or if Poor Law children are received in them. If the voluntary organisations receive no public subscriptions, and do not take in Poor Law children their Homes may, if they take children under 9 years of age "for reward," be visited by the welfare authority's child protection visitors; otherwise, they may come under no public supervision at all. Children under 9 years of age "fostered" for reward, or placed by private persons (not the parents or guardians) for adoption, are supervised by local authorities under the direction of the Minister of Health through the child life protection service. Those over 9 received for reward and those for whose maintenance no reward is given are not the care of any public authority. Children removed from their homes by order of a Juvenile Court may, if "committed to," and accepted by the local authority as a "fit person", be entitled to full parental care and guardianship from the authority; normally this responsibility is exercised by boarding the child out under rules laid down by the Home Office, but if there is difficulty in finding a foster home, the child may be left in a public assistance institution, in which case the Ministry of Health is concerned. Other children removed from their homes by Court order may be in approved schools for remedial training or in remand homes awaiting a decision of the Court, in which case, though the local authority (or a voluntary organisation) may provide the institution, the Home Office is directly and closely concerned with its regulation and management. War orphans committed to the care of the Minister of Pensions are the direct charge of the Ministry and are generally placed in foster homes and supervised by officers of the central department. These officers also supervise children in private care who are receiving war pensions. The groups of children we have enumerated are assumed to be physically and mentally normal. Then there are the mentally disordered, or the mentally defective and ineducable, who should be in local authority or voluntary institutions inspected by the Board of Control; the retarded and educationally handicapped, and the physically defective, also divided between local authority and voluntary establishments, and inspected by the Ministry of Education.

99. It will be observed that not only does the responsible department vary, but so does the closeness of State direction and control. In some cases, e.g. the "fostered" children, it is remote. At the other end of the scale there are the war orphans, in whose case it is immediate. Between the two there are several shades of difference. With local authorities, too, the degree of responsibility may vary. The care of destitute children under the Poor Law is laid upon them clearly by statute; but when children are removed from their homes as in need of care or protection it is open to the authority to refuse to accept the charge of them. There are reasons, historical and other, for these differences, and some of them are good, and correspond to a genuine difference in circumstances. But it would not be difficult to find children similar in type and circumstance whose treatment has been quite different merely because they have been dealt with by different departments under different statutes. Table IV on page 27 shows the classification of the deprived children whose care is now provided for by statute or by administrative machinery, the agencies responsible for their care and the types of home in which they are placed.

TABLE IV

Statistical Summary

Children Deprived of a Normal Home Life

Category of Children	Responsible Government Department	Disposal							Total
		Local Authority Institutions	Approved Schools	Remand Homes	Voluntary Homes and Hospitals	Approved Probation Houses and Hostels	Foster-Homes		
1. Destitute	Ministry of Health ...	P.A. Institutions ... 6,500 P.A. Children's Homes ... 16,900	—	—	Chargeable to the Poor Law 4,600 Others ... 15,000	—	4,900		
	Home Office	—	—	—	9,700	—	—		57,6
2. Homeless Evacuees	Ministry of Health ...	1,900	—	—	300	—	3,000		5,2
3. Maintained for Reward (under 9).	Ministry of Health ...	—	—	—	—	—	10,700		10,7
4. Pending Adoption (third party).	Ministry of Health	—	—	—	—	—	2,400		2,4
5. Removed by Order of Court (delinquent or in need of care or protection).	Home Office	2,000	11,200	1,500	2,000	700	6,000		23,4
6. Mentally Disordered or Mentally Defective (ineducable).	Board of Control ...	7,000	—	—	300	—	200		7,5
7. Physically or Mentally Handicapped (educable).	Ministry of Education	Special Schools 6,300	—	—	Special schools 8,200	—	—		14,5
8. War Orphans ...	Ministry of Pensions...	—	—	—	—	—	3,000		3,0
		40,000	11,200	1,500	40,100	700	27,000		124,9

SECTION II

HOW THE CHILDREN ARE CARED FOR NOW

INTRODUCTION

100. Between our fortnightly meetings for the hearing of evidence and for discussion, a great deal of our time has been taken up in examining for ourselves the different types of care given to children deprived of normal home life. In order to do this we divided ourselves into groups, each of which was responsible for visiting a number of counties in England and Wales and for the examination in each area of some of the methods of caring for children in the charge of local authorities and voluntary societies. In all we visited 41 counties.

101. Lists of Homes and other institutions under inspection by the Government Departments were supplied to us; we also made inquiries in the area and frequently received from members of the public information about Homes which were considered to fall below the required standard. We gave no notice of our visits to Homes and while on a few occasions we found that we were expected, as a general rule it was obvious that the visit was a surprise. It is perhaps a measure of the interest taken by the staff of Homes in the care of children as a calling that a large number had not heard of the appointment of a Committee to inquire into these questions. In no case was there the slightest attempt to hinder us from visiting or from seeing whatever we wanted to see. When the reason for our visit was fully understood we received the greatest assistance and co-operation from officials and staff. We were at all times free to go wherever we wished and to talk freely and alone with members of the staff and the children. We were only able to visit each Home once and had to take them as we found them, so that we were not usually able to meet all the staff and the children. We did however visit enough Homes to provide a good sample of each kind of care. A much more searching inquiry would have been necessary if we had intended to give a judicial opinion on the merits of any establishment and we have therefore thought it right not to mention any one of them by name in this Report.

102. In a number of areas we were able to visit individual foster homes in which children had been boarded out. These were picked at random from a list supplied a day or two beforehand by the official concerned. We met on this side of our work the most complete confidence and friendliness. In a number of homes there was a more real appreciation of the purpose of our visit when it was explained than we found in the institutional Homes. In some areas we paid a few visits in company with the boarding out visitor as well as visiting alone. As a rule not more than one Committee member visited any one foster home.

103. Before or after seeing the actual care given to the children in the area we arranged, whenever possible, a conference with the Education, Public Assistance and Public Health authorities to discuss any matters of interest or difficulties which we had noted. These discussions were, we believe, valuable to the authorities as well as to ourselves, since they gave an opportunity of testing the arrangements for supervision in a practical way.

104. In this way we were able to assess the care given to some 30,000 children whom we saw living away from their homes, and to form some judgment of the well being and happiness of such children in the country as a whole.

105. For the purposes of this Section of our Report we have made a preliminary note on local authority administration and then described the different types of care which we examined under headings as follows: Children in Workhouses; Public Assistance Homes, Public Assistance Nurseries and Public Health Nurseries; Homes Managed by Voluntary Organisations; Hostels for Working Boys and Girls and Probation Hostels; Approved Schools; Remand Homes; Homes and Institutions for Handicapped Children; Boarding Out. In each case the same points were noted by the members of visiting groups so that it has been possible to make some final comparison of the different types of care. Every effort was made to check our impressions by such means as questions and discussions with staff and children, with old boys and girls and by local opinion. The observations and conclusions here set out are based only on our own experience but we have been interested to see from inspectors' reports at a later date how often our impressions had been shared by other visitors. We think we have seen a representative cross section of the various forms of care, and that our visits have enabled us to see for ourselves illustrations of the main varieties of the upbringing of children in residential Homes and private families. We realise that there are certain features of the lives of children which could not be finally judged without a more intimate and prolonged association with the children and those in charge of them. Nevertheless, we found that we were increasingly able to judge from the attitude of the children towards visitors, from their appearance and general ease and confidence, whether the care was of the kind in which children could thrive. Questions such as the provision for leisure, the suitability of buildings and the adequacy of records were relatively easy to judge.

LOCAL AUTHORITY ADMINISTRATION OF CHILDREN'S CARE

106. When visiting children's Homes in any area it was usual for members of the Committee to obtain a statement from county or county borough officials indicating the administrative arrangements for the area. These arrangements were discussed with the chief officials concerned. Our observations are, therefore, based on written and verbal information received from responsible senior officials and on what we saw of the working of the administrative system when visiting the institutions and Homes.

Counties

107. The administration of workhouses and children's Homes is necessarily different in counties and county boroughs because in counties there are Guardians Committees which undertake certain duties in connection with the administration of Homes on behalf of the Public Assistance Committee. These Guardians Committees are sub-committees of the County Public Assistance Committee and have sometimes a good deal of local autonomy. We found that workhouses were almost always looked after by the local Guardians Committee. In regard to the children's Homes the practice varied. In some instances, no control appeared to be exercised by any central committee and although the Public Assistance Committee was nominally responsible, the supervision of the various Homes seemed to have been left almost entirely to the local Guardians Committees, acting usually through one or more sub-committees. In other counties there was a special sub-committee of the Public Assistance Committee, which was responsible on behalf of that Committee for the administration of all the children's Homes in the county. It seemed to us that there was an increasing tendency towards this arrangement. It was, however, still a usual practice for even such sub-committees to act through the local Guardians Committee rather than direct. In those instances where there were nurseries

... their supervision and management was undertaken by the Guardians Committee, through a sub-committee which was responsible for the workhouses.

108. An example of central control is a county where a Management Committee is appointed by the Public Assistance Committee to administer, not only the children's Homes but all Public Assistance establishments in the county. This Management Committee is made up of persons nominated by the various Guardians Committees, certain members of the Public Assistance Committee, and members appointed by the Public Assistance Committee from outside its own body. The Homes and institutions are visited by members of the Management Committee on a rota system.

109. As an illustration of the different methods which are sometimes adopted in the same county, an instance may be given of the arrangements in one county where one large group of Cottage Homes is managed centrally by a Children's Sub-Committee of the Public Assistance Committee, as these Homes happen to be situated in the county town, but each of the other Homes in the county is managed by the local Guardians Committee. The central Children's Homes Sub-Committee does, however, appear to exercise some general control of policy in regard to the Homes generally.

110. Another course is adopted in a county where each Home is administered by a Children's Sub-Committee of the Guardians Committee, or by a sub-committee which also administers one or more public assistance institutions, but uniformity in administration is achieved through a central Children's Sub-Committee of the county Public Assistance Committee which considers all matters relating to children, and deals with the recommendations made by the various Guardians Committees. This arrangement does therefore promote some uniformity which may be absent when there is no central committee.

111. Where there was no central supervisory committee, co-ordination appeared to depend on the degree to which the county Public Assistance officer could exercise his influence on the various Guardians Committees. In a large rural county we found some tendency on the part of the local Guardians Committees to resent suggestions or criticisms from the Public Assistance Committee. Strong resentment was also shown in one instance against an adverse report of the Ministry of Health Inspector on one of the Homes and it appeared, from the discussions at one meeting of which we saw a report, that the local committee felt quite able to manage its own affairs without "interference" either by the Public Assistance Committee or the Ministry of Health.

112. We visited only one county in which the functions of the Public Assistance Committee, in so far as they relate to children, were discharged by the Education Committee, though we understand that there are at least four others. In accordance with the provisions of the Poor Law Act, 1930, such delegation is "subject to the general direction and control of the Public Assistance Committee." In this county the Education Committee had appointed a special sub-committee, known as the Children's Care Sub-Committee, to carry out these duties—as well as the statutory duties arising from the committal of children and young persons to the care of the county council, under the Children and Young Persons Act, 1933. The county was divided into areas for the purpose of boarding out children, a Boarding Out Committee being appointed for each area, and where there was a children's home in that particular area, the committee was augmented, if necessary, and supervised the Home on behalf of the Education Committee. The local committees administering the Homes met at each Home monthly.

113. In counties where the Homes were still administered by or on behalf of the Public Assistance Committee, through a Children's (or a Children's Homes) Sub-Committee, the visiting of the various Homes was usually undertaken by members of the appropriate Committee or Sub-committee under a rota system. In some instances the visits did not appear to have been as regular as would seem desirable, owing no doubt partly to war-time travelling difficulties. This Committee or Sub-Committee generally retained responsibility for the classification of the children, for routine consideration of individual cases and for the appointment of at least the senior members of staff. Where, on the other hand, responsibility for administration of Homes rested with the Guardians Committee the members appeared to be given considerable powers including the appointment of junior staff and responsibility for visiting the Homes.

114. In several instances we were told that the majority of members of Sub-Committees or Management Committees were women. In one area it was the custom to select women members of the Public Assistance Committee to sit on the Sub-Committee managing the Homes. In most areas there was provision for co-option.

115. Before the war it seems to have been usual for the Sub-Committees or Management Committees to meet at the various Homes in rotation and some members of staff regretted the discontinuance of this arrangement which had enabled them to keep in close touch with the Sub-Committee as a whole. Sometimes the staff in charge of Homes were asked to meet the Sub-Committee at headquarters. It was usual for the members individually to visit the various Homes in rotation but sometimes local visitors were appointed from outside the Committee. In one area the Management Committee was made up of members of the Public Assistance Committee and members of the Guardians Committees. Very much the same arrangements existed for the supervision of workhouses. Visits were paid by members in a rota system and meetings were held at each institution in turn.

County Boroughs

116. The position was more simple in county boroughs where there was usually only one group of children's Homes. The Public Assistance Committee was usually responsible for the detailed oversight of its own establishments and sometimes, we found, acted through Management Committees. It was more usual, however, for a Sub-Committee to be appointed either for each establishment or for a group of establishments. The Sub-Committees met at regular intervals. In some areas the staff was appointed by the Sub-Committee; in a few areas by the Public Assistance Committee. The Sub-Committees usually arranged for members to visit the workhouse and Home under a rota system.

117. In some Boroughs the responsibility for children's Homes had been delegated to the Public Health Committee or the Education Committee or both. The system in operation in one large city may be mentioned as illustrative of the arrangements generally prevailing when such an arrangement is in force. Here, the functions of the Public Assistance Committee, insofar as they relate to the care and maintenance of children were, generally speaking, discharged by the Public Health Committee and the Education Committee. A system of fortnightly "revision" of the children admitted to the various Homes was, however, undertaken by a sub-committee of the Public Assistance Committee. The two large groups of children's Homes were administered by the Education Committee. Although the delegation is "subject to the general direction and control of the Public Assistance Committee" it did not appear to us that the Public Assistance Committee interested

itself in these Homes; the Homes are said to be open to inspection both by the Education Committee and the Public Assistance Committee. Before the war it was the practice of a sub-committee of the Education Committee to hold meetings at the Homes. Since the war—and up to the date of our visit in June 1945—no meetings had been held at the Homes, but the Superintendent and Matron were invited to attend meetings of the sub-committee at the education office. Before the war members of the sub-committee visited the Homes monthly under a rota system, but since the outbreak of war visiting was undertaken by one member only. In fact, even monthly visits do not appear to have been carried out regularly. The residential nurseries were administered by the Public Health Committee.

118. In another city the Maternity and Child Welfare Committee was responsible for children under five and the Public Assistance Committee for older children. The children's Homes were a large group of cottage homes with a nursery. The Homes for older children were managed by a Children's Sub-Committee of the Public Assistance Committee which met monthly, either at the Council House or at the children's Home. The Homes were visited by members under a rota system. The nursery, although in the same grounds as the cottage homes, was administered by the Public Health Committee. A nursery school in conjunction with the nursery was the responsibility of the Education Committee.

Forms of Delegation

119. The intention of delegation had been to put an end to the separation of destitute children for whom the Public Assistance Committee was responsible from the children who were receiving residential care through other committees of the Council. But the fact that, whichever committee of the Council accepted immediate responsibility for them, the Public Assistance Committee was ultimately answerable for their welfare, seems to have meant that the advantages of delegation were often impaired not only by the administrative complications which resulted, but by more frequent changes of care than might have occurred if the same Committee of the Council had remained responsible throughout.

120. The various forms of administrative complication arising from delegation may be illustrated by a County Borough in which while the Education authority was directly responsible for the Cottage Homes the Public Assistance Committee retained ultimate responsibility for the Homes, which were closely connected with the workhouse under Public Assistance supervision and shared its medical services. Members of the two Committees appeared to be in constant argument. The child after infancy in the workhouse nursery might be moved for a short period to the Children's Homes, then to a residential nursery under the Public Health Committee and at 5 back to the Cottage Homes. Finally the Education authority might be responsible for his after care. During his childhood any contacts with his relations would be made through a special branch of the Public Assistance Department, except insofar as any relatives might visit him at the Homes. In this process of transfer from an establishment under one Committee of the Council to an establishment under another Committee continuity even of records of health, development and home conditions must have been difficult, if not impossible, to maintain, and this may have largely accounted for the inadequacy of the records which we found.

121. In some areas the Homes were managed by a joint Committee of the Public Assistance and Education Committees and of the Public Assistance and Public Health Committees. Delegation to an existing Committee was as a rule less satisfactory than joint Committees. The Joint Committees provided a wider circle of people in contact with the Homes and led to higher standards in the care of the children.

122. In several areas where we discussed the relations between the various committees of the Council there was a clear realisation of the need for unification, so that it would no longer be possible for the homeless child to be transferred from one committee to another as he reached the various ages with which the several committees were concerned.

General Observations on Administration

123. We think it may be useful if we offer a few general observations on this aspect of our investigations:—

(i) In counties the usual arrangements do not appear to achieve uniformity in administration of the children's Homes. Where administration is left largely to local Guardians Committees the standard of administration is generally lower than where there is co-ordination or where a varying degree of control is exercised by a central sub-committee of the Public Assistance Committee. It seems that in some counties there is little likelihood of a general improvement in the standard of care in children's Homes, until the powers of local Committees are limited to what may be described as friendly visiting of the various Homes, leaving policy and general control to a central committee or sub-committee of the authority. Each county Public Assistance Committee is responsible in law for administration throughout the county, but in some areas which were visited it seemed to us that the Public Assistance Committees tended to leave too much to local Guardians Committees, the members of which sometimes seemed to be still imbued with ideas generally prevailing before the Boards of Guardians were abolished. Although it seemed to us that central, rather than local, administration in a county achieved better results, much clearly depends on the attitude of members of the central committee.

(ii) We were impressed with the value of members of local sub-committees who could undertake friendly visiting of the Homes in their area.

(iii) Some county Public Assistance Committees seem to have been somewhat nervous of exercising their powers from fear of upsetting members of local Guardians Committees.

(iv) Speaking generally we did not find a higher standard of administration of child care in those areas where the council had entrusted the supervision of Public Assistance children's Homes to the Education Committee.

Records

124. At the local authority institutions and children's Homes which we visited, we made inquiries about the type of records kept and were shown a number of examples. The general conclusion drawn from those we saw was, that apart from bare identifying facts (name, date of birth, etc.) religion, date of reception and discharge, and entries about health, no written information was given to those in charge of the children. In some instances a few facts had been given to the Matron of a children's Home over the telephone or by the escort to the Home. It was also generally true that, with the exception of certain entries regarding health, no written record was kept of the child's stay in the institution or Home; consequently no record of the child's development could be handed on when he left.

125. It seems likely that the following accounts by a visiting group, of records kept in institutions under one authority, are typical.

"The only record received or passed on is an 'identifying' and a medical record."

"Six two-year-old children had recently been admitted from another institution under this authority, and the matron found that they were suffering from scabies and impetigo, though no note of this fact had been sent to her at the time of their transfer, and it was impossible to isolate them with the accommodation at her disposal."

Another example:

"I ran through a list with the Master which had been provided by the Public Assistance officer, of children who had been received into the institution on a 'place of safety' order. He did not seem clear which of the children had been received in this category. . . . No records about the children other than the brief admission card and medical particulars are received here, though it is clear that the Matron and Master take trouble to get to know about the children by discussion."

126. We seldom found that Superintendents and Matrons of children's Homes were aware of, or regretted, the lack of information about the children in their care. In one or two instances we were told about the difficulty of dealing with children whose histories were unknown; these were exceptions. In one instance in which the Public Assistance Officer had given a good deal of information to the cottage mothers, one of them regretted that similar information was not given about the children for whom the local authority was acting (through the Education Committee) as "fit person," as they were often more difficult children. The fact that no case records are kept in institutions or Homes does not of course imply that no records are kept in the central offices of the Public Assistance department. We found that a great deal of information was filed in the office which was not communicated to those in charge. It would not be fair to judge the general adequacy of the records without a much more careful study of the case files of the Public Assistance Committee than we were able to carry out.

127. We heard one serious criticism of medical records from the medical officer of a workhouse who was also responsible for the medical supervision of the children's Homes. He said that in his area the children came into the Homes without a medical record so that he did not know whether a child had been immunised or whether there was risk of tuberculosis or venereal disease. No education history was available, so that even if the child had been recognised as defective the fact would not be known until he re-entered school. Another medical officer told us that one of the difficulties of treating children from Homes at the Child Guidance Clinic was the failure to provide the kind of history and description of the child's behaviour which was essential to the understanding and treatment of his difficulty.

128. In residential nurseries careful records were kept as a general practice with particulars about feeding and height and weight charts. This record almost always lapsed when the child became five years of age.

Boarding Out

129. As in the case of children's Homes, Public Assistance boarding out was in county areas usually supervised by the Guardians Committees, under the general authority of the Public Assistance Committee, while "fit person" work was undertaken by the Education Authority. In County Boroughs supervision was usually undertaken by the committee concerned or by one committee of the council acting for another or by a joint committee. We found

that in many areas each of the committees of the county or county borough councils was undertaking boarding out without co-ordination with any other committee. This separation of the boarding out services of the different departments of the local authorities provided an interesting example of the persistence of traditional methods in the face of the changing attitude of the public towards social services. It became very clear to us in the course of conversations with officials, that few local authorities had attempted to reconsider as a whole their functions and methods with regard to the children in their care, and that while before the war, the normal local government machinery had served to provide the necessary services, since the war it had become more and more inadequate to meet either the extent of the problem or the new standards of child care required. Most of the authorities seemed to be aware of failure to deal with the problem; some were concerned about it; even the most complacent had been given a jolt by recent publicity. In a number of areas there were plans for better co-ordination and for the improvement of procedure, but we could not help noticing that our visits were welcomed by some departments of local authorities as a means of discovering and commenting upon the practice of other departments. The authorities which had worked out some common programme for the care of children were few, and, even then, there was little provision for any effective personal co-operation.

130. There were two main ways in which boarding out under the three main committees of Public Health, Public Assistance and Education had been more closely co-ordinated. One of these consisted of passing over the responsibility for boarding out from one department to another. The other method was simply the sharing of a common staff, while each department retained its own responsibility. Instances of the first were the passing over of boarding out by the Public Assistance Committee to the Public Health or Education Committee or both: or the passing over of the comparatively new boarding out duties of the Education Committee to the old machinery of the Public Assistance Committee. An example of the method of sharing visitors between the three committees was found in a rural county. Welfare officers were appointed jointly and acted for all three committees through a joint committee, combining the visits of the Health and Child Protection Visitors to children under 9 and the visits of the local members of the Guardians Committees in the case of children in the care of the Public Assistance Committee. This arrangement was favoured by the Education department but accepted with reluctance by the Public Assistance department. In a neighbouring county a similar plan was followed but the joint visitors in each case reported to separate committees and followed different regulations. In another area boarding out was undertaken by a joint committee drawn from members of the Education Committee and the Maternity and Child Welfare Committee. The Superintendent of the Homes who was also Master of the Workhouse was appointed by the Public Assistance Committee, and the boarding out visitors by the Education Committee. In a County Borough there had been since 1930 an arrangement under which Public Assistance children under three were passed to the Maternity and Child Welfare Committee and over three to the Education Committee. The Education Committee dealt with these children and with others committed to it as "fit person" through a Children's Care Sub-Committee to which members were co-opted who were not necessarily members of the Public Assistance Committee. The sub-Committee managed children's Homes as well as boarding out. In a County area the converse applied and the Public Assistance Committee administered for itself and the Education Committee the whole of the boarding out arrangements through a Public Assistance Sub-Committee for Homes and boarding out.

131. There was no doubt that the boarding out services as a whole in county or county borough areas suffered from the splitting up of the children into groups which came, often arbitrarily, under different provisions of the law. One of the great difficulties in the way of co-ordination was, we found, a traditional inter-departmental antagonism which was sometimes thinly veiled by changes in organisation. Thus in an area where certain functions of the Public Assistance Committee had been taken over by the Education Committee, the medical officer of the Public Assistance department, who remained responsible for the health of the children, described the Education department as " a soulless body " compared with the old poor law administration. An Education department was inclined to belittle a Public Assistance department which in turn considered that the Education department showed an increasing tendency to " poach " the functions of the Public Assistance Committee. In another area in which the three committees shared the services of welfare workers the Public Assistance Officer urged the special assignment of one of the welfare workers to the Public Assistance department because of the antagonism of the Public Assistance Committee to the new arrangement. These old jealousies are partly due to the fact that in many areas the same officials continue to be responsible for new services and partly to the difficult conditions governing expenditure and employment which during the seventeen years since the passing of the Local Government Act, 1929, has discouraged re-organisation. We came across an example of departmentalism in its worst form while visiting an Institution for Mental Defectives to which, we were told, a visitor had been sent from an Education Authority to a Midland town (" after the Gough case ") to see one boy. There were at the time sixteen boys there in the care of the Public Assistance department of the same authority but the visitor was not interested in seeing them.

132. Whatever the administrative scheme it was comparatively rare to find the responsible committee co-opting suitable additional members from within or without the council. In one case we were told that co-option did not appeal to members as it might involve limited power with no responsibility for co-opted members. It seemed to us unfortunate that qualified people with leisure to take an interest in children's work should not be asked to help in a Children's Sub-Committee. Our experience of the present procedure shows (1) that it is difficult for the ordinary councillor to spare sufficient time to serve on such a sub-Committee; (2) that mothers bringing up families find it difficult to give the time which a seat on the council involves but might be willing to act as co-opted members of a single committee; (3) that the members of committees elected in the usual way tend to average at least 60 years of age and co-option would provide the opportunity for bringing in younger people. We found an example of a committee, not regarded as helpful, of which the average age of members was 70.

133. An interesting feature of the present boarding out arrangements is the transfer of children from one local authority area to another, and it was clear that this transfer presented special problems. There is the added complication at the present time that some evacuated children who cannot return to their own homes remain in foster homes in the reception area. A usual reason for the transfer is the need to place at a distance from their homes children who have been taken from parents unfit to have charge of them. Other reasons are the desirability of rural surroundings and the fact that foster homes are more easily found in some areas than others.

134. There was a great variety of practice with regard to the transfer of responsibility for investigation and supervision. Sometimes the whole responsibility was transferred to the " receiving " authorities, the " sending " authority only requiring routine reports. Sometimes the sending authority retained responsibility and might not even notify the receiving authority that they were seeking homes and placing children. A compromise was often reached in other areas where the receiving authority accepted supervision but where check visits were made from time to time by the sending authority. We found great difference of opinion between departments of the same area about the best arrangement. In some areas where responsibility was transferred, the transfer was arranged by the clerks of the respective councils and the visitor undertaking supervision did not always know which department of the sending authority was responsible for the child. We were given one example of a group of children who had been transferred from one county to another and were supervised by the Public Assistance Committee of the receiving area because it was thought that the children came from the Public Assistance department of the sending authority. A Ministry of Health Inspector visited all the foster homes. It was later found that these children were the responsibility of the Education department as " fit person." We were told of the concern of some officials about the placing of children in their area by other authorities, without consultation about the standard of the home selected, and we were given instances of the use of homes by sending authorities which had previously been rejected for local use.

135. Similarly the methods of investigation, supervision, payment, medical arrangements and qualifications of supervisors varied, not only as between area and area, but as between departments of the same local authority. Thus we often came across instances where the Education department and the Public Assistance department in the same area were paying to foster parents in the same village different rates of maintenance, pocket money and clothing; where one department was employing trained visitors and the other used its office staff; where requirements as to investigation of the foster home, the frequency of visits and the medical care varied not only because of the differences in the regulations laid down by different Government departments but because of the custom of the committee concerned. The failure in co-operation between committees of the same area is perhaps best illustrated by the unfortunate results which may occur where one possesses information which is not available to the other: as for instance had occurred in one area where a child, who had been on the tuberculosis register of the Public Health department, was later placed by the Education Committee in a foster home which was considered unsuitable by the medical officer of health.

Details of the actual methods of boarding out which we found in the areas visited will be found in paragraphs 347-381.

CHILDREN IN WORKHOUSES

136. Under this heading are grouped all institutions (" workhouses ") managed by Public Assistance departments of local authorities, in which children are cared for as part of the responsibility of those who are also responsible for the care of destitute adults. Although in most of these establishments the children are living in part of a building used for adults, some are included in which separate, though generally closely connected, accommodation is provided, the senior staff of the institution having the final responsibility for the administration of the children's unit. The separate buildings are usually Receiving Homes or Nurseries.

137. We visited 32 public assistance institutions of this type in the areas of different local authorities. The visits were not selected altogether at random. We chose for the most part those which were on the official lists as undertaking the care of infant children; in other instances we made inquiries when

in the area whether there were children in the institution at the time. Some of us called at institutions not brought to our attention in other ways in order to find out whether there were older children in them. When we had reason to suspect from local reports that the care given was not satisfactory we made a special point of visiting so that it is possible that more instances ot unsatisfactory care have been seen and less instances where the care was satisfactory. It should also be borne in mind that single visits to Public Assistance institutions, where the population often varies from week to week, do not always present a true picture of prevailing conditions.

138. The healthy children over the age of 3 to be found in workhouses should, under the present law, be limited to those received there temporarily or as an emergency measure (see Section 1, paragraph 23). We found however many older children who had been there for longer than the permitted six weeks. Conferences with local authorities threw some light upon the difficulties in different areas. In some badly bombed areas, for example, temporary provision which was regarded by the authorities themselves as unsatisfactory had had to be made. It was clear that in some areas the workhouse served as a dumping ground for children who could not readily be disposed of elsewhere, and that in some districts where children's Homes provided insufficient accommodation, or boarding out had not been well developed, older children, for whom there had never been any properly planned accommodation, were looked after in the workhouse for a considerable length of time. In some instances this caused embarrassment to an already over-worked and unsuitable staff, in buildings where segregation was a physical impossibility. Shortage of staff may affect more seriously children in establishments which are not designed for them. Even where some attempt had been made to segregate children from adult inmates of questionable habits there were some institutions in which, because of shortage of staff, children were being minded by aged inmates and by cleaners, or were simply placed in a ward with senile old men or women to be looked after by the nurse on duty. In many other institutions although the physical care was fairly adequate, the staff, the buildings, and the equipment were such that it was impossible to provide an environment in which children could thrive, and it could certainly not be said that these children were being compensated for the lack of normal home care.

139. Many of the institutions served not only for " reception " (i.e. cleansing and emergency care), and for hospital treatment for children over the age of 3, but also provided for healthy children received under " place of safety " orders, as defective, or simply on the order of the relieving officer as destitute. They were sometimes admitted as children in need of care or protection, pending their appearance in Court, or awaiting placement after their committal to the care of the local authority as a " fit person "; some of them were awaiting boarding out or placement in a children's Home, or they had been brought back from either place for a change of plan when for some reason the arrangement made for them had broken down.

140. An example of this kind of motley collection was found in one century-old Poor Law institution providing accommodation for 170 adults, including ordinary workhouse accommodation, an infirmary for senile old people and a few men and women certified as either mentally defective or mentally disordered. In this institution there were twenty-seven children, aged six months to fifteen years. Twelve infants up to the age of eighteen months were the children of women in the institution, about half of them still being nursed by their mothers. In the same room in which these children were being cared for was a Mongol idiot, aged four, of gross appearance, for whom there was apparently no accommodation elsewhere. A family of five normal children, aged about six to fifteen, who had been admitted on a relieving officer's order, had been in the institution for ten weeks. This family, including a boy of ten and a girl of fifteen, were sleeping in the same room as a three year old hydrocephalic idiot, of very unsightly type, whose bed was screened off in the corner. The fifteen year old girl had been employed in the day-time dusting the women's infirmary ward. These children had been admitted in the middle of the night when their mother had left them under a hedge after eviction from their house. No plan appeared to have been made for them. Another family of three children, aged eight to twelve, were sleeping with the toddlers in the " nursery " part of the building. They had been brought into the institution on a " place of safety " order. We were told in the education and public assistance offices that their case was shortly to be considered with a view to further action, but they had already been in the workhouse for four months. We were told in another county that in some of the institutions of this area there was nowhere to put the older children to sleep except in the adult wards. Children had occasionally been sent back to the homes in which they had been neglected because it was thought better for them than the conditions under which they would have had to be cared for in the workhouse.

Accommodation

141. In few of these institutions have any structural alterations been made to the buildings for the purpose of giving suitable care to children of " toddler " age or over. For the most part the children are housed in large gaunt looking buildings with dark stairways and corridors, high windows and unadapted baths and lavatories. The best had been made of these forbidding buildings in a few of the institutions we visited, where admirable efforts had been made with use of paint and pictures to brighten the rooms in which the children slept, and played. In others the traditional chocolate and buff paint remained, with bare boards and draughts, and a continual smell of mass cooking, soft soap and disinfectant.

142. In some cases the segregation of children according to age or health can only be achieved by using rooms on the same corridors as the infirmary wards for senile patients; by separating the dormitory and dayroom of the children in such a way that young children have to go up and down long corridors and stairways used also by the adults; by placing in the same dormitory children who are healthy and those who are suffering from skin diseases of a contagious kind; or even by putting children to sleep in the adult wards. We found a number of institutions in which normal children were sleeping with low grade mentally defective children, and in one institution where there was an excellent Nursery for children under 3, a baby, brought in as in need of care or protection, had been placed in its perambulator in the old women's ward so that the nursery should not be overcrowded. The contrast between the well cared for nursery children and the neglected, ill-cared for baby was very great.

143. In one workhouse the Matron had made a valiant attempt to gather the children together in the most difficult circumstances. She had to use the institution kitchen as a dining room for the toddlers. We saw them just after the tables had been cleared at dinner time. Most of them had folded their arms on the table and were asleep, with their heads on their hands, while their feet swung aimlessly from a too high wooden bench. The kitchen fire provided warmth and comfort; compared with the cheerless and bare day room they were better off in the warm kitchen. They had large chipped enamel mugs to drink from, such as were familiar at one time in casual wards; we were

told that casual wards are now supplied with crockery. At this institution the " mother " in charge of the children was a harassed looking woman doing her best in difficult circumstances. The Master and Matron were young keen people suffering from a sense of frustration. The Matron complained about the seeming inertia of Public Assistance Committee members. It was noted that the chairman of the Public Assistance Committee was 91 and the Vice Chairman over 80. The impression was left that they were maintaining standards of 50 years ago.

144. One Nursery which was structurally linked to the Public Assistance institution had sunk to the lowest level of child care which has come under our notice. There were 32 children on the register, eight of whom were sick children. These were being nursed in a small ward adjacent to the infirmary adult sick ward. They were in charge of assistant nurses who were at the same time nursing the sick adults in the main ward, in which were aged and chronic sick (one patient had advanced cancer of the face), a mentally defective child, and a child with chicken pox. In the children's ward was an eight year old mentally defective girl, who sat most of the day on a chair commode, because, the nurses said, " she was happy that way." She could not use her arms or legs. There were two babies with rickets clothed in cotton frocks, cotton vests and dilapidated napkins, no more than discoloured cotton rags. The smell in this room was dreadful. A premature baby lay in an opposite ward alone. This ward was very large and cold. The healthy children were housed in the ground floor corrugated hutment which had been once the old union casual ward. The day room was large and bare and empty of all toys. The children fed, played and used their pots in this room. They ate from cracked enamel plates, using the same mug for milk and soup. They slept in another corrugated hutment in old broken black iron cots some of which had their sides tied up with cord. The mattresses were fouled and stained. On inquiry there did not appear to be any available stocks of clothes to draw on and it was said by one of the assistant nurses that " everything was at the laundry and did not come back." The children wore ankle length calico or flannelette frocks and petticoats and had no knickers. Their clothes were not clean. Most of them had lost their shoes; those who possessed shoes had either taken them off to play with or were wearing them tied to their feet with dirty string. Their faces were clean; their bodies in some cases were unwashed and stained.*

145. This Nursery was an exception. We saw some which were remarkably good. One Nursery also linked structurally with the workhouse was supervised by the Master and Matron of the workhouse, but clearly they thought separately of nursery and institution and they did not confuse the two. The standards were high, the staff adequate in number to care for the children and of adequate training. The Ministry of Health had given permission for children to remain in this nursery up to the age of four years. The relationship between the Master and Matron and children approached very nearly to normal home life. The Master made toys for them, played with them and joked with them. He assured us that his Committee supported him in all his suggestions as to improvements and were ready to spend money on progressive schemes.

146. On the whole the standard of care of the older children in workhouses was much below the nursery standard. The provision for play and occupation for the older children, who in theory were there temporarily, was for the most part appallingly bad. There were a few pleasant exceptions to the general dearth of good play material for young children, but hardly any

* The attention of the local authority was drawn immediately to the state of these children, and they have now been removed to a separate nursery.

to the absence of any form of provision for recreation for boys and girls of school age. There seemed no understanding in these institutions of the recreational needs of children, and it was no one's responsibility to see that they were happily occupied. For the staff the older children were an extra burden. They were often concerned about them and did their best to make them feel " at home," but this is done as an act of personal kindness by individual members of the staff rather than as an important staff responsibility. A play pen for the toddlers, a pile of soft toys given by members of the district committee, a few picture books and comic papers seemed to be the limits of provision indoors, in all but a very few of the workhouses.

147. Recreation outside evidently presents another real problem for the staff. Few institutions are provided with gardens in which the children can play. For the most part they are either confined to small asphalt yards in which they can be safely separated from the adults, or, if they are given the run of the place, as they sometimes are because there is no member of the staff to look after them, there is apprehension that they may come to no good by associating with the older inmates. In one institution the matron said she could do nothing with the older children to prevent them from wandering all round the premises, and that she had reported to the Public Assistance Officer that they might be associating with defective adults. Children were seen to be with adults in the yards of some institutions. This might, of course, be quite unobjectionable but has serious dangers in the mixed population of a workhouse.

148. The following extract from a visiting group's report relates to the institution mentioned in paragraph 140:

> " The infirmary wards used for children are on the second floor of the institution, at one end of which is a ward for senile men, at the other a ward for senile women. Two rooms are used for children on this corridor, one for twelve infants, and one for a family of five ' healthy ' children of scattered ages, and one defective child, aged two. There is only one bathroom on this corridor which has apparently to be used for all purposes. The only playroom is downstairs, and is a gloomy room with high windows. The family of five children have their meals in a small kitchen not meant to be used for children at all. . . . The nursery at the other end of the building has had extra low windows added, and was light and airy with a pleasant garden outlook."

The following report relates to another establishment:

> " The premises constitute an old fashioned workhouse which has not been modernised in any way. The children are grouped as follows: babies under one year, of whom there appear to be about fifty; toddlers, aged one to two (fourteen); school children aged five to fifteen (thirteen). The accommodation is typical of the ordinary workhouse wards. They are adequate in size, but generally unsuitable for children. The wards are quite clean and well decorated. Most of the children were playing in the grounds which consist of an ordinary asphalt yard without any grass. . . . The accommodation must cause considerable difficulty. There is a day-room, for instance, for the children of school age, which is on the first floor of one block, and the children have to go downstairs and out through the yard to the first floor of another block to go to bed. In winter they would probably not use the day-room at all. There were thirteen boys and girls of school age in this day-room when it was visited. It is an ordinary institution ward with very little equipment."

The following is an example of a Receiving Home with adequate accommodation: Capacity 18. Present 12 boys and girls aged 3-14.

" This Receiving Home is a converted nurses' home attached to a Public Assistance institution, and is in the charge of the Master and Matron of the institution. The house is well separated from the main institution, though it has a common entrance. It does not overlook the institution, but faces open country. There is only a small asphalt yard in front of the Home.

" This small two storey house seems quite suitable for its purpose, except that the playing space is rather limited. There is a small day-room used also as a dining room, but at the time of the visit the children were having their Sunday dinner under a tent awning in the front playground. There is a doctor's room on the ground floor for medical examinations. The children sleep in homely little rooms, mainly single, but one or two containing two beds in which children of the same family can sleep together. The children have individual lockers. The beds are covered with bright red blankets. On the second floor there are two lavatories and two bathrooms. The staff of the reception home is quite separate from the staff of the institution, apart from the Matron, and night and day duty staff come in from outside. The place looks beautifully clean and tidy."

Defective Children

149. In a number of the institutions visited, defective children were associating with normal children. In one institution which was being used entirely for defectives and epileptics there were a number of children, some of whom were regarded as educable defectives, and others as suffering from mental disturbance or behaviour difficulty rather than mental defect. It is clear that defective and epileptic children and, occasionally, children suffering from mental illness, constitute a serious problem in the children's wards of institutions. The staff are not qualified to deal with them, they are a disturbance in the care of normal children and the adult wards to which they are sometimes moved are equally unsuitable for them. Shortage of accommodation in the mental deficiency institutions and in the residential special schools is generally given as the main reason for their retention in institutions, but there appears also to be considerable delay in some areas in carrying out the necessary procedure for the children to be transferred. Administrative delay was brought specially to our attention by the Medical Officer in charge of one of the institutions mentioned above. The following cases, which were selected from a number, were given to us in writing in June, 1945, by him:

" Girl. Aged 8, date of admission 5th February, 1943. An idiot. She was notified to the Mental Deficiency authority in 1942 as a child who should be removed to a colony for Mental Defectives. The Mental Deficiency department wrote to the Education department for the statutory ' exclusion certificate ' which they require before they could proceed with the case. This they have so far been unable to obtain. I wrote at the beginning of June to the Education department pointing out these facts. So far I have had no acknowledgement of my letter. This child has been losing any training she would have received at a Colony."

" Girl. Aged 8. Date of admission 1st June, 1943. She is an imbecile with epilepsy. This is a most difficult case, who climbed the walls, bit the picture rail with her teeth, pulled the bed to pieces, threw radiator cover about, destroyed every toy she was given, walked about naked. She had been a patient here before the age of five, when she was notified as a Mental Defective to the Mental Deficiency authorities. Certification was almost complete when the mother moved her out of our care. On re-admission she was again notified to the Mental Deficiency authorities, who immediately asked for an ' exclusion certificate ' before they could proceed with certification. Repeated applications were made to the Special Schools department on 2nd March, 1944, 23rd November, 1944, 30th January, 1945, 12th February, 1945, without result. Four weeks ago I approached the Education authority and by using mild threats obtained an ' exclusion certificate.' The Mental Deficiency department proceeded with the certification, and she was removed yesterday (21st June, 1945) to the Colony for Mental Defectives."

The psychiatrist of a Child Guidance Clinic complained of the unsuitable care given in an institution to an unstable defective boy of 12 over a period of six months, whilst he was awaiting admission to an Institution for Mental Defectives. He had been found unsuitable for a day special school, on account of his violent behaviour. Application had been made for his admission to a residential special school, but in view of his behaviour he was not admitted. In the meantime he was said to be associating with old men in the institution.

150. Possibly of more serious import is the presence of defective and sometimes uncontrollable children with those who are normal, of which the following is an illustration:

" There is accommodation for 23 cots together with three beds for nursing mothers. Twenty-two of the cots were occupied. There were four children between the ages of five and eight. One was a girl, a blind epileptic in bed, she was quite helpless, and had been there for about three years in the same ward as the normal children. There was a boy aged eight in a cot who was obviously a low-grade mental defective. He hardly ever kept his clothes on, but kept tearing them off. He was in the same ward as the normal children with a screen round him, but he could be seen behind the screen. He had been there since April, 1943, and was now kept in bed all the time. He was there because apparently accommodation for him could not be found anywhere else. There was also an epileptic child of four, who was said to be totally incontinent and helpless. He was permanently bed-ridden."

Staff

151. It was clear in the course of our visits that the unsuitability of the staff and its inadequacy in numbers was even more serious in its effect on the children than the type of building. In very few institutions did the number and qualifications of the staff seem to be even fairly adequate. In most there was staff shortage; in a few instances this was so acute as to lead to neglect of ordinary standards of child care. This state of affairs should not necessarily be attributed to the slackness of the local authority. In many instances repeated applications have been made to the Ministry of Labour for additional staff. In some instances, however, the authority has not appreciated the necessity for an adequate and suitable staff. In the majority of the institutions only the matron who was in charge of the adults as well as of the children had had any training, and in a few others none of the staff appeared to have had any training at all. It is obvious that while the master and matron of a large institution can give general supervision to the care of the children they cannot safeguard the day to day handling, which is to a large extent in the hands of totally unqualified members of the staff. In several cases the staff had been forced to use the help of adult inmates of the institutions.

Physical Care of the Children

152. Enough has already been said under the headings of " accommodation " and " staff " to indicate that the physical care of children is sometimes neglected, even although those looking after them have the best intentions.

It is not possible to give the right kind of care to children who cannot be isolated from those with contagious skin diseases, or to children who must sleep in adult wards and share the same bathing facilities as adults who may be unhealthy. We saw, for example, children who looked both unhealthy and uncared for:

Eighteen children, aged 1 to 14 in a Receiving Home used in connection with an institution though not part of it.

" All the children were in the same room together, the young babies and the older children. Eight of the children had been in the (Receiving) Home for six weeks, and some of them for three months. Two boys had been there for seven months. The delay in their transfer to an ordinary Home is said to be due to the fact that when they were admitted they were suffering from impetigo of long standing, but this has only recently been cleared up."

Occupation and Education

153. Even in those institutions where adequate physical care was given to the children there was little homeliness or provision for recreation. There were one or two workhouses where fairly good care on common sense lines was given to infants and toddlers, but we did not see any institution where provision for occupation for children over the age of five could be regarded as satisfactory. At the best they were " amused " from time to time by kindly members of the staff, but they had no proper recreation facilities either indoors or outside, and some of them were almost completely confined in the institutions for months at a time. We found that in a large proportion of institutions which we visited normal children of school age did not attend school. One reason given was the short time they were expected to stay and the danger of carrying infection.

For example: *Eighteen children, thirteen of over five.*

" The children never go out to school, even though some of them may be here for months at a time. The children have no outside contacts, they merely play by themselves in the gloomy dayroom, or in the yard. They are not taken for walks owing to shortage of staff. There is no opportunity for playing with other children. . . . The children in the Receiving Home have no pocket money until they are fourteen years of age. . . . If they had pocket money there would be no opportunity of spending it. . . . The children did not have any toys at all."

Ten children, aged two to eight. Children here received for treatment, and also on account of destitution because of the overcrowding of the children's Home.

" There seemed nowhere for these children to play. The woman in charge said that she had taken them out to play in a playground outside that (Sunday) afternoon. When we arrived on Sunday evening one boy was wandering round a yard in which old men from the workhouse were sitting. The children do not go out to school from here, though the woman in charge said that there was no reason why they should not go to school. There is no indoor playroom and there are no toys, though some of the boys had been given comics to look at in bed. . . . Apart from the lack of suitable occupation the handling seemed friendly."

154. From these visits and from the information which we obtained from officials and social workers we formed the conclusion that in the majority of Public Assistance institutions the general care of children was of poor standard. We saw a few very good examples, all of which were Nurseries, and a few very bad. By very bad examples we do not mean to suggest that we found evidence of harshness for which the staff was responsible. Except in the one instance of the nursery unit described in paragraph 144 the ill-usage was of a negative rather than a positive kind and elsewhere sprang directly from unsuitability of buildings, lack of training and of appreciation of children's needs. Officials of local authorities suggested that the children suffered from the attitude of the public to children maintained under the poor law. This attitude had affected some members of the Public Assistance Committees, some of whom had survived as Committee members from the days of the old Boards of Guardians and still held old-fashioned views about what was suitable for a destitute child. In the few cases in which the care was very good the Master and Matron were enlightened people who were aware of the difficulties, and had the ingenuity to surmount them and the enterprise to use their assistant staff to the best advantage of the children in their care.

155. The worst feature was often the complete failure to provide any kind of individual interest or notice. In most cases the children had been brought into the workhouse as an emergency arrangement and were therefore in a neglected or unhappy or bewildered state. Often in the institution they were left to the casual kindness of aged inmates or to the indifferent attention of busy staff to whom they were nothing but an additional burden. Babies remained in their cots day in and day out, gazing at the ceiling, and toddlers played on the floor, often unchanged and unkempt, with any bits and pieces which they could find. The older children were turned out to play in asphalt yards surrounded by high walls, and were unprovided with schooling or occupation. And they often remained in such conditions for months.

156. We have no alternative but to paint this very gloomy picture of the conditions in which children are at present received and maintained by many authorities in adult institutions; but it would be unfair to the more enlightened authorities if we did not mention that there are some exceptions. We visited a few areas where we did not find a single healthy normal child in a workhouse ward and where adequate Receiving Homes were provided in separate blocks for children needing cleansing or observation.

PUBLIC ASSISTANCE CHILDREN'S HOMES, PUBLIC ASSISTANCE NURSERIES, PUBLIC HEALTH NURSERIES

157. Under this heading we have grouped Children's Homes run by or on behalf of Public Assistance Committees specially for children, which were not part of, or combined with, the building or the administration of an institution for adults. They represent therefore, under present practice, the normal method (as opposed to retention in workhouses which is the irregular method not countenanced by regulation) of caring for the children in the charge of Public Assistance authorities and not boarded out. Those " Scattered " Homes which were run under the general over-sight of the Master and Matron of the institution have been included in this group. We visited 112 Local Authority Homes and 20 Nurseries. The children may have come under care for a variety of reasons—destitution, lack of parental care and affection leading to abandonment, lack of control, cruel treatment—any one of these or even the temporary absence of a mother in hospital, may lead to a child being placed permanently or temporarily under the care of the local authority.

Types of Homes

158. The Homes fall into four groups. Large institutions or " Barrack " buildings, Single Homes (smaller in size but larger than a family group), Grouped Cottage Homes and Scattered Homes. Besides these, there are Nurseries for children under five.

Large Institutions: Barrack Type

159. A large number of Homes of this sort were built during the last century and as they were built to last, many authorities which are anxious to develop the care of children on more modern lines have found them on their hands. Administratively they constitute a dead loss to the ratepayers unless they can be used or converted. In some cases there has been a tendency to continue to use them for this reason. These Homes usually house large groups of children (50 up to 200 or more) who all share the same living quarters and sleep in large dormitories.

Single Homes

160. Single Homes, housing a number of children up to fifty or so have been built or bought by a number of authorities.

Grouped Cottage Homes

161. This type of Home represents an effort to break up the children into groups, varying at present in size from 8 to 20 and exceptionally numbering as many as 50, so that in the care of a house mother in each cottage the children can enjoy something in the nature of home life and the sort of individual attention which a child receives from its parents. Few authorities have made the cottage groups into anything which resembles an actual family group. In most Cottage Homes the cottages for boys and girls were separate and the age groups were also segregated. Babies usually did not come into the Homes but were kept in a separate nursery. If babies were taken in the Cottage Homes they lived in a separate cottage, as did the toddlers also. In some Homes there were mixed cottages for children up to the age of 8 or 9 when the boys left for a boys' group. It was unusual to find Homes like one we visited where the Matron thought a complete mixing of ages and sexes quite natural and a good preparation for life. The individual cottages were often so large as to resemble villa Homes of the single type. In some Homes the food was cooked, and served, centrally; in others the cottage mother did her own cooking.

162. In one or two areas in which the Cottage Homes had been built as a result of the movement away from the barrack institutions of the last century the majority of the children aged from two or three to fourteen or over were cared for in the Homes. It was noticeable however that there was a tendency to increase the size of the units in this kind of Home. For reasons such as the difficulty of boarding out or shortage of staff, the cottage units were larger than many authorities regarded as desirable and were rapidly losing the character of small households and becoming small institutions while at the same time the buildings became over-crowded. A group of thirty children in a cottage, of ages varying from two to fourteen, becomes a very different problem of management and education from a planned group of fifteen or sixteen children. This size of cottage was characteristic of a number of Cottage Homes which were visited.

Scattered Homes

163. This term is used to describe small houses, each perhaps one of a row in a street, in the charge of foster mothers employed by the local authority. They house eight to twelve children of either sex or both sexes and may hold more. The children are often of mixed ages and the arrangement does provide something more closely approximating to the family household than more institutional forms of care. Where the plan of Scattered Homes had been adopted the nature of the accommodation was such that the number of children could not be increased. The tendency seemed to be to keep the children in the Public Assistance institutions rather than to enlarge or overcrowd the Homes.

164. In some areas we found arrangements which combined Cottage Homes and Single Homes and one county had developed Barrack, Cottage and Single Homes as well as war time Nurseries for children under five.

Nurseries

165. It is the common practice to separate the infants under 2 or 3 from the toddlers and older children in separate nurseries; sometimes these nurseries were single Homes, sometimes one cottage in a group. The nurseries we saw were of two types:

1. The residential nursery originally brought into existence by Public Assistance authorities which continued to supervise the running of the nursery in conjunction with the Medical Officer of Health, or which have delegated the running of the Residential Nursery to the Maternity and Child Welfare department. The children in these nurseries were admitted because they were either destitute, or had no female relative to look after them.
2. The residential nursery brought into existence by the Maternity and Child Welfare committees at the request of the Ministry of Labour and National Service, to make provision for children whose mothers had undertaken war work which entailed night shifts. These nurseries have grown up around industrial areas to surprising proportions. Many of the children's mothers were unmarried mothers who had to earn their living in order to support themselves and their children.

Receiving Homes

166. Some authorities provided Receiving Homes independent of workhouses to which children could be taken when first admitted, for examination, observation and cleansing. Such Homes are often one cottage in a group of Cottage Homes or occasionally a Single Home in which the children are looked after by a special staff.

Accommodation

167. We saw very few examples of modern buildings in use as children's Homes. Where building had taken place just before the war it was clear that local authorities had taken a more generous view of the amenities which should be provided, than had prevailed in earlier times. Cottage Homes usually dated from the beginning of the century and although they were clearly an advance upon the buildings at that time in use by Poor Law authorities they could not in every case be considered to be in line with present standards of child care. Most of the cottages in Cottage Homes were unhomely in appearance and set out in grounds which were often formal and forbidding, with large main gates of institutional type, asphalt drive ways and a lack of opportunity for variety and privacy in the gardens. In one group of Cottage Homes we saw what was really a small village, consisting of 21 houses built in 1901, with 14 children in each cottage, boys or girls. There was no lobby

of any kind; the door opened into the scullery kitchen where food was prepared, and the small dining room, which also served as a living and playroom, opened out of this. The cottages were situated on top of a hill, and we were told that in winter they were very uncomfortable. The layout of this group of Cottage Homes is typical.

The following is an example of more recent history:

"This authority built inter-communicating Cottage Homes shortly before the War. They are admirable buildings, pleasant to look at, standing among other houses of the same size but with plenty of open ground behind where the children have a swing and a shed for play. There is a good dining room and living room but no separate playroom. The capacity of each cottage is 12, but at present there are 16 boys in each house."

168. The Single Homes were often converted private dwellings. Whilst some were obviously old and inconvenient they were sometimes more homely in appearance than Homes which had been specially designed for the purpose and their gardens offered more scope for play and exploration. We saw one recently acquired large private dwelling house which was being converted for use as a Boys' home for 40 boys. The situation was magnificent, overlooking a moor. The house was excellently furnished and, apart from the fact that its position was extremely isolated and that its design was on rather extravagant lines, it represented a far higher standard of child care than had yet been established in that particular county area.

169. Old houses occasionally had fallen into a serious state of disrepair. It was obvious in some cases that the disrepair was largely accounted for by the war, but even so there did not seem to be adequate excuse for the state of some of the houses which we saw, particularly when we found that others in the same part of the country had been kept in reasonably good condition.

For example: *A Home with capacity listed as* 43. *Children in residence* 75, *aged* 5-15.

"We were not at all favourably impressed with this Home. There was evidently considerable over-crowding, and the staff appeared to be badly over-worked. The whole place was very shabby. The gate was falling to pieces, many chairs had broken backs, and two walls in the girls' bedrooms were damp. In one upstairs bedroom a corner wall was so badly cracked that the light showed through and another wall had a bad transverse crack and showed signs of dampness. The lavatories were dark and badly ventilated, and plug pulls were broken . . . in several rooms the plaster was falling off the walls."

The difficulty of accommodation in the large home is shown by the following comment from a visiting group's report.

Large Home, 62 boys and girls. Ages 5-16.

"This building was gaunt and barrack-like, with far too few living rooms and rooms for play in the boys' quarters. The dining room and playrooms were unattractive and there was nothing cheerful or homely about the place. When we went into the boys' playroom we found a room full of boys from the age of five upwards who crowded round us urging us to look at any small possessions they had. The lack of separate room space made proper facilities for games and recreation impossible."

Size of Building and Number of Children

170. We had a considerable amount of evidence of shortage of accommodation or of accommodation not fully available. In several Grouped Homes, cottages had been closed owing to the difficulty of providing the necessary labour. We found one instance of a good room in a Scattered Home held vacant for this reason when healthy children in the same county were being most unsuitably housed in workhouses. Thus a Home or group of Homes listed as over-crowded might be so listed because children had been assembled in a limited number of cottages and rooms in order to save labour. In a few cases we regarded the over-crowding as serious in its effect on the children's health and welfare. In the Cottage Homes of one county borough the buildings had been planned to accommodate 345 children; the population at the time of our visit was 385. Members of the staff of the Homes stated that they regarded the accommodation as suitable only for 256 children. Cottages which had originally been intended for about 16 children were being used for 25-30. A number of children were sleeping two in a bed, and until recently there had been as many as 70 sleeping under these conditions. In this establishment three cottages had been closed because of shortage of staff. The difficulties had been accentuated by the closing of the Receiving Home at the outbreak of war so that cleansing had also to be carried out in over-crowded conditions. The individual cottages held children between the ages of 2 and 14 on whose health and recreation over-crowding must have had a serious effect. It was impossible to separate new admissions, so that a child newly admitted in a very dirty condition associated after bathing with the other children in seriously over-crowded sleeping and playrooms. The Medical Superintendent told us that this arrangement had frequently caused the spread of infection and had actually led to far more sickness amongst the children.

171. In a Single Home built in 1909 there were two separate houses in the same grounds; one for boys and one for girls. According to figures supplied by the Ministry of Health the accommodation was listed for 56 children. We were told by the Superintendent that the pre-war accommodation was considered to be 65, a number which had been increased to 81 and which it was proposed to increase still further to 101 by taking in a building formerly used as a laundry. At the time of our visit there were 76 children. The only day rooms in each house were a dining room and a kitchen. The boys' dining room could not accommodate all the boys for meals and some had their meals in the kitchen. There was not chair space between the beds in the dormitories. In another Single Home with accommodation for 18 boys there were 24 present at the time of our visit. They had only one small sitting room for meals, reading and play. The dormitories were tightly packed and there was no room for any provision in the way of lockers or other receptacles for the boys' own possessions, though they were said to be on order. Outside was a small asphalt yard.

172. The following is a description of a building with some good features:

A Single Home, used particularly for delicate children. Capacity 24, *boys and girls, aged* 3-15.

"This Public Assistance children's Home, a pleasant two-storey stone building in a row of similar houses directly facing the sea, was opened for children who need special attention to their health and who will benefit from open-air life. It is a private house specially adapted for the purpose, and is said by the Public Assistance officer to be the best equipped of its type in the area. Health needs are not only interpreted from a physical standpoint, and a child suffering from bad experience at home might be

sent here. . . . The accommodation seems convenient, attractive and healthy. There is a good sized dining room with small tables and parquet flooring used for play as well as for meals. The walls are bright with pictures and book cases well stocked with suitable books. Flowers are attractively arranged on the tables and these laid with well chosen china. There is a particularly good outside playroom converted from an outhouse. This is large enough for a swing, for some good large toys, dolls' houses, rocking horses, barrows and trucks, and for the storing of tricycles and bicycles, which the older children use. This room is unheated. The sleeping rooms, containing beds varying in number from three to six, are light and airy, and well spaced, and between each bed is a specially designed small chair and cupboard."

173. We had evidence that in some Homes the poor accommodation provided for the staff was partly responsible for the serious shortage of personnel. On the whole, we were impressed with the undemanding attitude of the staff, who seemed often to be working under conditions which precluded privacy in leisure hours, let alone comfort. It has already been mentioned that in a large Cottage Home members of the staff had no sitting room of their own. In another single Home we were told that the Master and Matron could not get an assistant partly because the accommodation was so poor. The room available was very small, the walls showed bad signs of damp, and the furniture was scanty, cheap and shabby.

174. The shortage of staff was general throughout all the Homes we visited. On the whole, the nurseries were, we found, more fully staffed than other Homes, and we were told that this was because they were often training centres also. We were frequently told that local authorities had tried to secure improvement in the staffing of their Homes but so far from being able to recruit trained or experienced workers they were often unable to recruit anyone at all. The poor accommodation and conditions provided for staff must in many Homes have made it difficult to retain staff even when found. It was obvious too that shortage of staff must lead to an excessive demand on the children's labour as well as to overwork of the staff themselves.

175. So far as shortage of numbers permitted, an attempt was generally made to provide reasonable relief for the staff. In one relatively well-staffed group of Cottage Homes we found an excellent system of reliefs which gave the house mothers one long week-end in four (Friday to Tuesday). This was all set out on a chart by means of coloured discs showing just when and where the relief was due and had the double advantage of letting the foster mother know in advance not only when her week-end was due, but that it was actually arranged for. The system included the provision of two or three " floating " relief staff to provide for emergencies.

Qualifications of Staff

176. With very few exceptions the only kind of specialised training for the care of children possessed by any members of staff was that of State Registered Nurse or Nursery Nurse. A few of the Masters and Matrons held the certificate of the Poor Law Examinations Board for Institution Officers. Even in respect of nursing the qualifications of the staff could only be regarded as adequate in a very few of those Homes of which we had particulars. All these were Nurseries. We found one example of a Matron in charge of a scattered home who had been trained by a voluntary organisation. One Matron of a toddlers' Home had taken a course of lectures and found them a great help.

177. We regard the whole of our report on these Homes as to some extent illustrative of the effects of the employment of staff without adequate qualifications, though much allowance has to be made for poor conditions of work

and lack of assistance. We were often impressed with the way in which, under the most exacting circumstances, men and women with little leisure or privacy continued to take an individual interest in the children, and to maintain good standards of physical care. The Masters and Matrons who controlled and managed Homes (apart from " workhouses ") had in some instances progressive views, but often their ambition was higher than their capacity and their schemes too difficult to work without a trained staff. Sometimes lack of training was compensated by special personal suitability. It was evident that some men and women of good quality had taken to this work because of their concern for the children, and that they had sacrificed themselves in doing so, or that they had found their way into the work as national service and discovered a bent for it. There was, for example, a young Matron managing, with one assistant, a large Scattered Home for eighteen boys, of which a man would ordinarily have been in charge. She seemed to be on unusually good terms with a group of quite difficult boys, who evidently enjoyed her companionship. This Matron had been " directed " into this work by the Ministry of Labour at the age of about thirty, having been previously employed as a children's nurse in private families, and although she was disturbed by the behaviour of some of the more difficult lads, she seemed to use good common-sense methods and to enjoy her work. A Scattered Home for twenty-one girls in another area was run by a Scotswoman of about forty-five—a pleasant, motherly, practical person, unpretentious and sincere. She had had some training as a Salvation Army worker, and had found this useful in helping her to understand the kind of lives the children had lived at home. She was particularly resourceful in arranging all sorts of outside activities for the children, and in converting makeshift premises into a welcoming home.

178. Against these reports must be set a large number of Homes in which it was only too clear that the staff possessed neither personal nor educational qualifications for the care of children. For example:

Single Home. Forty boys and girls. Twelve babies, aged nine months to three years. Twenty-eight boys aged three to seven. Girls up to fourteen.

" A Matron—not a trained nurse—is in charge of the whole house. The nursery staff consists of a head nursery nurse (uncertificated formerly with a voluntary organisation). . . . The children in the nursery were dirty and ill-clad."

Single " Reception " Home. Twenty-seven boys and girls. Master and Matron, married couple, in charge.

" The Master and Matron have been in Poor Law work for many years. They have spent most of their lives in the care of elderly men and women at the institution. The Master was probably at least 65; the Matron considerably younger. Neither has had any training. The Matron seemed kindly, anxious to do her best for the children, but acknowledged her own ignorance of the special needs of difficult children and was puzzled how to deal with them."

179. It is worth noting that the best of the untrained staff, who can often manage a Home fairly well for children who present no special difficulties, are often at a loss to know how to deal with children who present special problems and may fail to do justice to the more normal children for this reason. Again, those who can manage reasonably well on common-sense lines children of school age may fail lamentably with little children and may lack resourcefulness in catering for the more varied needs of

adolescent boys and girls who often call for more individual understanding and guidance. It is evident that routine methods are sometimes resorted to because the staff have neither the time nor the ability to treat the children as individuals. Some would welcome more expert guidance: others fear that training will suppress rather than develop common-sense and that expert guidance is likely to be unpractical. There were very few occasions on which we felt that the staff had been in any sense selected for the particular duties assigned to them. An exception was discovered in some Cottage Homes run as a Reception Centre by one authority which were supervised by a joint committee of Public Assistance and Public Health. Here there was recognition of the need for the special handling of children. The cottages, with the exception of two, were staffed by State Registered Nurses. Three foster mothers were specially used if Matron thought that some child needed extra mothering and she made a point in talking to us of her careful selection of staff.

Physical Care

180. As far as we could judge, most of the children seemed to be well fed and were generally well cared for physically. With a few exceptions the clothing was of good quality, individual and varied, and, making allowance for war-time difficulties, in good repair. In the difficult staffing conditions which have been described, the standard of cleanliness of the children and of their clothes and bedding had been fairly well maintained. On the side of comfort, however, there was a good deal to be desired. We consider that in some cases there was too long an interval between the children's rising and their breakfast.

181. It is doubtful whether the more positive aspects of health are given as much attention as one might hope for in the care of children. Many of the children must have suffered from conditions which at the best were likely to be unfavourable to health and growth. With the exception of one area, where special provision was made for children whose physical or mental health seemed to have suffered from the conditions in which they had been living, we came across very little individual attention to the building up of health, though this must be necessary in most areas.

Medical Care

182. It appears to be an almost universal practice for children to be given a medical examination on entry, but this is sometimes not carried out until the children have been in the Home for some days. Subsequently medical attention may be provided by a medical officer of the local authority or by a local general practitioner who may make regular calls as often as once a week, or may only be called in at the discretion of the house mother. It is not unusual to find monthly routine examinations arranged for in addition to the school medical examinations, and treatment seems more usually to be carried out in the Infirmary than in the School Medical Clinics. We have no way of judging whether the arrangement with the local doctor was more or less satisfactory than the medical supervision by the authority's own officer. We had evidence that at the present time the pressure of work on the local doctor might make it difficult for him to pay regular visits to these children. It was, however, the exception to find that house mothers felt that they had inadequate medical advice. They may send the child for treatment to the local authority Hospital if necessary. In one or two areas it was noticed that there were a number of cases of children whose eyes or teeth needed attention.

183. Almost all the children of school age had the advantage of the ordinary school medical services. We found, however, that in several areas the Public Assistance Committee did not rely upon the school services for attention to the children's teeth and eyes, but had arranged for a private dentist to make routine examinations, and to carry out treatment in his consulting room or in the sick bay of the Home.

184. We noted that provision for the isolation of children who were received direct from bad homes without cleansing or were taken ill and who might be suffering from infectious conditions was not by any means always available, even in the larger Homes. This was sometimes due to over-crowded conditions, as sick rooms had had to be given up to sleeping accommodation for normal children, or for staff. In the Home just mentioned to which children were specially sent on account of their health, the sick-room had been converted into use for the staff, and a child suffering from whooping cough was being kept during the day in one of the bedrooms. In another Home for twenty-four children, the sick-room was used as a store room, and two children, a boy and a girl, were being nursed for mumps in the ordinary bedrooms apparently shared with other children. The explanation was that as they were of different sexes (aged about ten) the rules did not allow them to share the same sickroom.

185. It was exceptional to find a trained nurse available even in the large Single Homes and we found an instance of grouped Cottage Homes housing as many as 200 children, including thirty children under five, in which no fully trained nurse was available. Occasionally this lack of trained staff was found even in Homes which include children as young as nine months.

Admission and Reception

186. Children may come to the Homes from residential nurseries, receiving homes, workhouses, hospitals, or direct from their homes. It seemed to us that too little thought and care was exercised in the case of the last group. In few Homes did we find any awareness of the state of misery, bewilderment and fear of the newly admitted little child. Too often his first contact with the Home was with the office staff who noted essential particulars and asked only questions of a formal kind. Then his own clothes were taken off and often carelessly tossed aside (although he may have known that he was dressed in his best for the occasion), he was given a bath, dressed in new clothes and pushed in with a group of children. Whatever comfort and happiness may have come to him later, the child's first introduction to the Home was often formal, cold and hurried, just at the moment when leisured kindness, warmth and affection were his main need. Some of us have a depressing recollection of seeing two small girls who had entered the Home some half-an-hour or more before sitting sadly side by side with their hats and coats still unremoved. No one was taking any notice of them. They looked the very picture of desolation yet so far one comfort remained to them—they were together. In too many Homes they would not be together long.

Diet

187. The few meals that we saw seemed substantial and appetising although too frequently served in chipped enamel plates and mugs. There seemed to be a general realisation of the need for fresh vegetables and for milk and eggs as available. A good deal of trouble was often taken to make it possible for the Homes to use their own produce or that of the local institution.

188. There was one difficulty regarding meals which caused us some concern. Some of the children lived at a distance from the school and no arrangement had been made for them to have their mid-day meal at school. This

meant that their main meal was eaten hurriedly, particularly when, as was sometimes the case, the Home was dependent upon the children for help in clearing the tables when they had finished their dinner. For example:—

"The girls get up about 6.30 a.m. and help with bed-making before breakfast which is about 7.30 a.m. They help to wash up before going to school. They walk about a mile to school. They get home for dinner about 12.30, help to wash up after dinner and leave for school again about 1.40. It seemed to us that the children do too much domestic work during the dinner period."

In some other Homes the foster mothers recognised that the dinner period was "rather a scramble" but they preferred to have the children at home for the mid-day meal, so they said, "because then you can see what they get."

Clothing

189. We were impressed by the trouble taken in many areas by the local authority and by individual matrons to provide the children with sensible and attractive individual clothing. The day of dreary uniforms or drab frocks signifying the Poor Law child has definitely gone. Pride was taken in the individual clothing of the children and care was taken to provide for a wide range of patterns and colours which would suit the particular children wearing them. Much of the girls' clothing was made in the Homes and repaired there. In many Homes we were shown good stocks of clothes, print frocks of all colours and patterns from toddlers' sizes to those for older girls, different coloured jerseys for the boys, good thick winter coats, panama hats, good stocks of shoes and school uniform of gym slips and blouses. Though the boys can, in fact, be recognised by the type of mass produced clothing they wear in most cases it was clear that the children's clothing compared well with that of other children in the school. Only very occasionally did we make unfavourable comments on the quality and condition of the clothing. Dirty clothes or untidy and unattractive clothes were observed in very few Homes; old fashioned twill night-dresses and underwear were sometimes seen. Dirty clothes, as might be expected, were generally seen in Homes which were under-staffed and poorly managed. For example:

Home for 22 boys, aged five to fourteen. Accommodation 25. Usually full.

"The bathing and sanitary arrangements were adequate but the towels in the bathroom were extremely dirty. Their shirts were filthy."

Forty-four boys and girls in three houses, aged three to four. Accommodation 46.

"All the houses seemed to be rather dirty. There was a general absence of comfort and cheerfulness. The bathing arrangements were poor, the face flannels were dirty . . . The children's clothing is poor, and the clothes were dirty."

Home for 38 boys, aged five to sixteen. Normal accommodation for 28.

"The face flannels in the bathroom were dirty. The clothing was very poor. Although the boys were not too clean, they seemed quite healthy—but I was not satisfied that there is proper physical or mental care of the children."

Domestic Work carried out by the Children

190. At the present time many of the Homes are dependent upon the domestic work of the children. We did not come across much definite evidence of serious drudgery in the case of young children, such as we felt would

have a damaging effect upon their health and well being. Nevertheless, the prevalence of large areas of highly polished floor and staircase even in Cottage Homes suggested that to maintain such a standard a considerable contribution must have been made by the children. Very few Homes had the used look of houses which are cleaned once a day and then left until the following day, and the unnatural cleanliness and polish of many Homes at all times of the day made us suspect that the children must constantly be employed in polishing. In a number of instances we thought that hours of play were limited by this requirement, and that in order to provide for clearing away and washing up, insufficient time was given to meals and leisure after meals.

For example:

Home for forty-four boys and girls in three houses aged five to fifteen.

"The big boys and girls get up at 7 o'clock. They have to light the fires and do a considerable amount of housework. They go to bed at 8 o'clock. They have to wash up at dinner time. There is a wash house attached to the girls' cottage and the older girls including some of those still going to school do the washing. . . . The Acting Master said that he thought it very good training for the girls in housework."

We seldom, if ever, came across Homes in which the more interesting parts of domestic work was given to the boys and girls. They seldom seemed to be made responsible for cooking anything or planning a menu or, in small Homes, for shopping for the Home or planning their own clothes.

191. The housework undertaken by boys and girls who have left school may be regarded as training or as employment. We were left in no doubt that a number of girls were kept on after they had reached school leaving age for the ostensible purpose of training for domestic service when, in fact, they were simply undertaking the routine work of the house. Little, if any, attention was paid to their training, nor would it have been possible to give it with the shortage of staff already described. This matter links up closely with the whole question of choice of employment and the provision of vocational training which is discussed below. It should be stated here that we found a number of examples of girls of fourteen and fifteen who seemed to be spending long hours in general housework and in minding younger children without adequate payment or fixed spare time and with little attention to training. For example:

"Scattered Home." 12 boys and girls.

"There is one fourteen-year-old girl here at present, and the House Mother says, 'She just does everything.' This is regarded as training. She helps in the kitchen, with the housework, with the needlework, and fetches the younger children from school. It is doubtful whether she has any time off except when the children are in bed."

"Scattered Home." 20 boys and girls.

"Girls who have left school seem to be kept at work of some kind or another all day until the children get to bed. Some of the duties are light—such as playing with the children out of doors. They have about an hour to themselves after supper, which they spend with the staff."

Nursery School Education

192. It was clear that in some cases the children under school age presented a serious problem for the depleted staff, which the staff themselves recognised. These children suffered specially from the lack of suitable play material and playing space, which for them provides both recreation and education; their needs make in some respects greater demands upon personal skill, so that the

lack of qualification of the staff is felt more keenly. In one large establishment of Grouped Cottage Homes, strong representations were made to us by the Master and Matron that a trained Nursery School Teacher should be provided for their twenty-seven children aged between three and five, who were at the present time in charge of a completely untrained member of the staff. We came across several Homes catering for children under five, in which a Nursery School, managed by the Education Authority, staffed with qualified teachers was part of the establishment. Where the Nursery Schools existed they were sometimes excellent and sometimes very poor. Generally speaking, the Nursery School children were liberally supplied with toys. There was much less evidence of messy play material and of facilities for use of sand, water, plasticine and paper. One Nursery School in an otherwise well arranged Grouped Cottage Home was a picture of unhappiness. The children looked poorly and uncared for, the nose of one was bleeding and she was crying with fright, a second was crying with misery and was blue with cold. She had been admitted only two days before and had for a short time been locked into some room and forgotten. She had not been given a coat and no special interest was being taken in her. She looked lost, lonely and wretched. Another Nursery School which we saw in a similar group of Homes, presented a striking contrast. Here the children were busily and happily engaged with trays of play material and were learning to look after themselves and younger companions.

Primary and Secondary School Education

193. In most of the Homes the children were attending the Primary Schools of the Local Education Authority; in a very few the Home had its own school within the curtilage. In many places it was the practice to split up the children so that no one contingent was big enough to overload any school. In one Home the children were going to a number of different schools, not more than 24 to any one school. We gained the impression that many of the children in the Homes were educationally retarded. This may, of course, have been due to their unfortunate history rather than to the conditions of their lives, but it was surprising to find in some Homes that few of the children could tell the time, and that many of them did not know the date of their birthdays. The contact between the Home and the school was often unsatisfactory. There seemed to be a lack of co-operation. Some of us were concerned to notice a certain prejudice against " Home " children in the schools. It was difficult to tell whether the fact that the majority of Homes had sent no children to Secondary or Technical Schools for a number of years was due to the poor quality of intelligence of children in the Homes or to the fact that their interest in school work or in future opportunities was not sufficiently encouraged; or to any other disadvantages which attached to their living in a Public Assistance Home. About this our evidence came entirely from local government officials and from those who were in charge of the Homes. We were constantly told that the children in the Homes had the same opportunity for continued education as other children attending the same schools: but when we asked for particulars of the number of children who had, in fact, taken up scholarships and continued their education, the number we were given was very small and they were mostly boys. In marked contrast was one large urban authority, most of whose older children were attending secondary or technical or special craft schools, many of them travelling long distances to attend a particular school. It should be borne in mind that children attending Secondary schools are usually boarded out, either because of the distance of the Home from the school or because it is considered a better plan in the interests of the child. It should also be remembered that in some areas where boarding out is freely used for children of all ages, the more intelligent and adaptable children have been boarded out so that those in the Homes represent the less able children. Even including the boarded out children, however, it was extraordinary that so few children were found to be attending schools of the secondary Grammar school standard or going on to higher education. These facts are further confirmed by the large number of Homes from which children are sent to unskilled employment. We reached the somewhat striking conclusion that for some reason or other very few children in Public Assistance Homes appear to have benefited from education after the age of fourteen. If our limited study can be taken as a sample of the Public Assistance Homes as a whole, and if it is not entirely due to the children's unusually poor ability, this conclusion reflects in a serious way a failure to compensate the child deprived of a normal home life; not only because they are not getting the opportunities open to normal children, but because the lack of individual attention and of special teaching and stimulus in the infant and toddler stages may have directly contributed to their failure to reach the necessary standard.

Vocational Training

194. Mention has already been made of the general practice of keeping on a certain number of girls and occasionally boys in the Homes to " train " for domestic service. In one or two Homes a genuine attempt seemed to be made to treat this period of a girl's residence as a preparation for the work she would undertake, but for the most part her training appeared to be a secondary consideration. Apart from this type of " training " very few of the Homes cater for vocational work, although in a few of the larger Cottage Homes, some of the boys worked under the supervision of the staff in the bakery, the garden, and the carpenter's shop and occasionally took up the type of employment of which they had gained experience in this way.

Leisure Facilities

195. We found that many of the Homes were not providing any separate recreation room for the children, or facilities for the carrying on of individual indoor hobbies or quiet interests. In some Homes we found the only playroom was really a romping room for children from 5 to 14, sometimes also the kitchen. We could not often observe for ourselves the result of these cramped conditions on the children's recreation; but it was not difficult to see that the lack of space must in itself have had a serious effect upon their welfare. The effect of the lack of staff, and the failure to provide members of the staff with knowledge of the needs of children of different ages must be even more serious, and was often painfully evident in the lack of homeliness and comfort in the rooms in which the children spent their leisure hours, and in the even more striking absence in many of the Homes of suitable material for play and for individual interests. This seemed to be true for all ages of children. We found only a few Homes in which we regarded the opportunities for play and for hobbies as fairly good. In others we noted some good features in play material, libraries and toys, but even in these the standard was such that any person experienced in play groups or club leadership would wish to add extensively to equipment of all kinds, and to rearrange rooms so that groups of children of different ages, or individuals, could carry on their activities in a happy and valuable way. There were some Homes where there was no wireless, no gramophone, very few books, and, it seemed, only a small collection of old and dilapidated toys. Some children had never had a newspaper. In some Homes we were told that the toys given to the children would only be destroyed. Many of the Homes were lamentably lacking in opportunities for the children to cherish such personal possessions as came their way. Time and again we found that the toys belonging to the whole group—generally a tawdry and uninteresting collection—were kept in a untidy pile in a cupboard or chest, or even in a heap on the floor, and that no individual lockers were provided. There were of course some pleasant exceptions.

196. The space for out-door play was often good but we found some Homes in which even outdoor life in the grounds was cramped and lacking in opportunities for exploring, climbing or round games; or for hobbies such as gardening, the keeping of pets or play with simple materials, which children given freedom will generally find for themselves and use with absorbed interest. It is true that a certain number of children were given considerable opportunities for play and social life further afield—opportunities which will be discussed later but this freedom was generally limited to boys and girls in the older age-groups and to special occasions. Much time was spent by the children in the Home grounds, particularly during the school holidays. The cottages often had inadequate playing space nearby although the Home was surrounded by fields. It was not an unfamiliar sight to see Cottage Home children playing in a small asphalt space walled in amongst the coal and coke. That the dearth of good opportunities for play was not due to the war only, was shown by the better provision which was found at a few Homes. That it was sometimes due to lack of knowledge or time on the part of the staff was shown by the fact that Homes which were good and bad in this respect were found to belong to the same authorities which would have made similar provisions in each case if approached with the same request.

197. The following examples are given of Homes of fairly good standard.

Single Home. Thirty-five boys and girls.

" There are good playing fields. Rabbits, ducks and fowls are kept and are said to be of great interest to the children. There is a good library and the children also use the local Public Library."

Single Home. Twenty-seven boys.

" There is a playroom fairly adequate in size, with a ping-pong table, quoits and a small collection of books. There is a small cinema screen for the Master's own films and slides and he seems to share his hobby of photography with the boys. But there are few personal possessions and nowhere at present to keep them though lockers are planned. The playroom and dining room are decorated with model aeroplanes (not home-made)."

One outstandingly good Home for 70 children had, we thought, the right atmosphere. The Master and Matron said that members of the Public Assistance Committee visited weekly and were very keen that the children should have what they needed to make them happy including provision for hobbies and other interests. An example of high standard Cottage Homes managed by an Education Committee was noted. Special features were as follows: a first-class Domestic Science School, swimming bath, gymnasium and handicraft room. The homely atmosphere in a Scattered Home was also noted. The children possessed treasures of their own which they kept about the house, in chests-of-drawers or chosen places. They went to the pictures and enjoyed a considerable amount of freedom. They brought in their friends to tea, and rushed in and out to see their foster mother like children in their own homes.

198. Numerous examples could be given of Homes in which these simple provisions were lacking. Even where, by dint of the good organisation of those in charge, special efforts had been made to improve the opportunities for play, these opportunities were sometimes not used to the full because of ignorance of the needs of children.

Scattered Home. Twelve boys and girls.

" There is a small dining room which is of a cottage parlour type, and is heated by a coal fire. This room is generally used as a playroom because the actual playroom is said to be very cold and dark. The playroom is perhaps adequate for six or seven children, but is little more than a bare space and lacking in any sort of attractiveness for children. It contains a few toys of the ' push ' and ' pull ' variety. The back garden at the end of a small tiled yard is walled and has recently been grassed down. In one corner is a covered sandpit in which the children were busily playing. This has only lately been arranged personally by the Public Assistance Officer."

Single Home for short stay. Old Poor Law Institution. Twenty-seven boys and girls.

" The dark dining room, with windows too high for the children to look out, is the only playroom. On Sunday morning at 11 a.m. on a sunny summer day, all the children were in a small asphalt yard with nothing whatever to play with. First seen they were lolling about by empty dust-bins, a few sitting on broken chairs, others running aimlessly round. There was a general atmosphere of boredom and bickering. I was told that they sometimes went into the front garden, but they were evidently in the yard because supervision could be given to them from the kitchen. The only toys seen were a small model aeroplane (a personal possession proudly shown by one boy), one or two small broken wooden toys, a ball or two, and a few picture books. These were kept in a cupboard in the dining room. The matron said that the children sometimes helped her in the garden. They had no gardens of their own."

At one Home there was a good garden but the children were not allowed to play in it without special permission. We seldom found any signs of pets except in Scattered Homes which almost always possessed a cat.

Outside Contacts

199. It was interesting to find that in quite a number of instances the Homes which provided the best recreational facilities of their own were also those which made most use of the activities of the children in the neighbourhood. The general view that it is a serious handicap to children to be too much isolated from the community to which they will eventually return seems to have been accepted by the staffs of many Homes though this belief was more evident in plans for recreation than in the general freedom allowed to children to come and go. There were comparatively few Homes from which the children were able to make friends with local children and visit their families or entertain them at the Home. At one large urban Grouped Cottage Home we were told that visits by the Home children to other children were deprecated because the Home children picked up bad manners. The Homes from which the older boys and girls were allowed to go off by themselves to villages or towns to explore, shop and visit the cinema were few. The visitor was often told that the spending money of the children had so little value that there was nothing for them to buy.

200. The following extracts, however, illustrate some of the ways in which the more enterprising Homes had given their children opportunities to share, in a natural way, in the life of the community.

Grouped Cottage Homes. 221 boys and girls.

" Girl Guides share in many outside functions. Boys are members of the church choir. Older boys are members of an outside club. The children are encouraged to make outside contacts, and they can go out on their own after asking the permission of the Superintendent, who tells them to tell their foster mother. They can go out to tea with school friends, and can also bring their own friends in to tea. Senior Schools outside share the

playing fields of the Home. Matches are played both away and at home. Excursions and picnics are arranged. Members of the Rotary Club take a personal interest in individual children, and invite them to their homes."

Single Home. 29 boys.

" Boys belong to the Scouts and Cubs and mix with other boys outside. The boys over the age of ten, and even some of those of nine, are allowed to go out into the town by themselves and they do shopping for the foster-parents, go on the bus, and so on. They evidently have considerable freedom. They go to school on their own. They recently went to the zoo with their Sunday school. Scouts and Cubs go to camp, but otherwise no holiday is provided."

Scattered Home. 21 boys and girls.

" There seems to be real care taken to provide good outside activities for the children, bringing them into touch with the local community. Matron says that there is only one evening a week when all the children are at home. They belong to the Guides and Brownies in Church of England and Roman Catholic Groups, and Methodists go to the Junior Guild. There is a Choral League in connection with the Guides which the girls attend. The children occasionally invite their own school friends in, and are occasionally invited out. Expeditions are made to the local town for shopping. Matron is reviving birthday parties, and tries to see that each child gets a parcel or card from the staff if not from their own relatives."

201. In contrast to these reports unnecessary limitations would seem to be placed on the outside activities of the children in the following Homes:

Scattered Home. 24 boys and girls.

" There seemed an unnecessary lack of ordinary relationships with the people in the village. The children never go to other children's homes, or have other children in to visit them. They go in groups to local entertainments. They have few visits."

Single Home. 30 boys and girls. Two houses.

" There are no special arrangements in regard to leisure activities, but the children go to the local baths from the age of twelve upwards. There are practically no outside contacts except those entailed by attendance at Sunday school and day school. One of the foster mothers said that the children do some shopping for her, but she does not allow them to take money."

Contact with Relatives

202. It was unusual for children to have any regular contact with relatives by visits. Most of the children received no letters at all. On the whole the staff's attitude to this was one of sympathy but acceptance of its inevitability. It seemed generally to be assumed that the children had been deserted and that in most cases the parents had proved themselves unworthy of guardianship. The possibility that some children might have relatives, who with encouragement might take an interest in them, seemed an idea which had never been really considered, at any rate by members of the staff. From the comments that were made to us it seemed that relatives who did continue to take an interest in the children, and whose visits were approved by the local authority, were received with reasonable hospitality, and that recognised monthly visiting days were not restricted too rigidly. There seemed to be no objection on the part of local authorities to holidays with relatives if the homes were found to be suitable. Such holidays are sometimes arranged, but apparently for only a very small proportion of the children.

203. Comments were more often made to us by the administrative officers about the difficulties that arose when undesirable parents became interested in children as soon as they reached wage earning age, than about the deprivation suffered by the children from the lack of family contacts. This danger may unduly influence their attitude from a genuine motive of protecting the child's interests.

204. Many of the staff seem to recognise the children's delight in receiving letters although they are also aware of the danger that letters might " unsettle " the children; we found few exceptions to the practice of opening all the children's letters before passing them on. Usually the outgoing letters were looked at. In one Home, three-quarters of the children had letters sometimes from relatives and friends and the staff took pains to write to those children who had no letters for birthdays and Christmas. It seems usual to encourage the children to write letters and to provide them with stamps when necessary.

Holidays

205. In peace-time, holidays arranged by the Home seem to have been fairly frequent though not by any means universal. These arrangements had been abandoned in most of the Homes during the war but we found several Homes in which camping holidays had been arranged during the summer of 1945, sometimes in the face of considerable difficulty. For instance in two single Homes for boys the master and matron had managed to arrange a camping holiday for 24 and 21 boys respectively in spite of the fact that they had no assistants. At one girls' Home 26 girls were being taken to a seaside house for a holiday. Summer camping holidays lasting from a fortnight to a month were more usual for Grouped Cottage or Single Homes than for Scattered Homes. For small Homes the more usual plan was to arrange for day excursions to the seaside, visits to a zoo or to the cinema. We found one instance of separate boys' and girls' Scattered Homes joining up for an expedition. In several Homes where boys who were Scouts and Cubs normally went camping with outside troops, no special holiday had been arranged for the other children.

Pocket Money

206. We did not find any Homes containing children of school age in which pocket money was not given. It seems the general practice for Committees to decide the rate of pocket money in accordance with age. In some cases the scale did not seem to have been revised for some time; in others there had been recent revision or the need for revision was recognised as overdue. There was a wide disparity in the rates. The weekly allowances quoted to us varied from a penny for children under seven to a maximum of sixpence for children under five. For older children allowances varied from a minimum of fourpence for children under ten to a maximum of two shillings for children over eleven. In one case the highest amount at fourteen was threepence. It was, as already noted, a common saying that there was little which the children could buy with the money. The general practice in buying wholesale at least a proportion of the sweet ration, prevented the kind of spending which was probably the most usual for outside children before the war. It was evident that the lowest of the scales would make satisfactory spending impossible for the little child and would hinder the development of any capacity to save. In some Homes a practice had arisen of encouraging the children to put some of their pocket money in a general pool for treats. This left the children with nothing to spend at their own choice or for presents.

Methods of Up-bringing

207. We find this the most difficult part of our observations to estimate and summarise. There are three main strands of evidence which together have to be taken into account in judging whether the Home is providing the children with conditions in which they thrive, mentally and physically, in which sensible and lasting social habits are formed, and in which children develop, in accordance with their age, an awareness of the opportunities and responsibilities of ordinary life in the community. The evidence which we could use was:

(1) Our observation of the children, and discussion, sometimes with groups, and occasionally with individuals with or without the presence of the staff.

(2) The attitude of the members of the staff shown in the account they gave of their own methods and views, and in their relations with the children in so far as we could observe them.

(3) The general conditions of the children's lives as they were described or seen—for example the personal attention which is possible with the amount of staff available; the space, comfort and attractiveness of the room in which the children slept, played and had their meals.

Apart from certain broad judgments as to the general well-being of the children it is not in our view possible in visits of this type to estimate the skill of individual handling or to be sure that children are not misunderstood or even harshly treated. This would involve more prolonged visits, and the use of other sources of evidence. Subject to this we think that the physical care of children reached a much more satisfactory standard than the development of the child's whole personality, though the two cannot of course be separated. The worst Homes were often bad from both stand-points. As we have already seen, good social habits cannot easily be acquired in crowded, ill-equipped and poorly repaired rooms nor can the child develop the capacity to care for himself in such conditions as are described in paragraphs 169 or 198. Conditions as bad as these were unusual. We were more concerned about the opportunities for children to develop their own interests, to look after themselves and their possessions, and to learn co-operation and general social adaptability through experience.

208. Discussion with a few older girls showed that they had very little idea of the cost of the clothes they wore. Still less did they realise the difficulties of the ordinary person in providing the coupons and money for replacements when clothes wore out or were damaged. To them, both clothes and food appeared with unfailing regularity, and the problem of ways and means never came their way. With some exceptions the children were without personal possessions, or, if they had them, they had no encouragement to look after them, or to respect the possessions of other children. Few children were allowed to collect their own pictures and photographs and have them in their bedrooms as children in ordinary households do, particularly children who are separated from their families, if they are left to their own devices. It is obviously inconvenient from the stand-point of routine management and cleaning to have bedrooms and dormitories made untidy by the sort of knick-knacks dear to the hearts of children, and it is possible that the overburdening of the staff has a bearing on their willingness to allow this kind of individual freedom. Nevertheless we felt that the often stark-looking dormitories and bedrooms must seem completely lacking in comfort and individuality to children. Here are two contrasting examples.

Single Home. Short stay. Twenty-seven boys and girls. Temporarily used as a Children's Home.

"The entrance hall is dark and of a typical Poor Law Institution character. There is dilapidated furniture in the entrance and long dark stone flagged corridors. The dining room has high windows well above even adult eye-level, and is dark and cheerless. The long narrow dormitories containing rows of iron bedsteads and cots were formal and ugly. There is no place for individual possessions."

Scattered Home. Twenty-one boys and girls.

"There is a small playroom containing a large locker for toys, a table and several dolls' houses. This is a pleasant room: it looks homely for young children. The dining room has small tables attractively arranged and decorated with flowers. A number of book-shelves were well filled. The bedrooms each contained eight to ten beds with white coverlets. A specially designed locker shelf used in all the Public Assistance Homes in this county, stands by each bed. The whole place is beautifully kept and is a pleasure to visit. The entrance hall immediately gives the impression that the Home is occupied by children, with rocking horses and dolls' houses in evidence."

209. We noticed specially in almost every Home, either a distressing dearth of pictures or, what was worse, a collection of ugly, uninteresting pictures which appeared to have been thrown out as valueless from other houses. Even in Homes in which the pictures were good (one Master had arranged for an excellent selection of good pictures to be supplied) they were often hung too high to be seen by the children lest they should pull them down and hurt themselves. We very seldom saw bright pictures at eye level of attractive subjects such as would appeal to children. One Scattered Home which possessed two large copies of a not unattractive picture of the Good Shepherd had both as decoration in the same small room.

210. It was the exception rather than the rule to find children in the Homes who were not either unduly hungry for attention from visitors, or more constrained in their relation with adults than is usual for children of their age. We do not mean to imply by this, that the children were seriously neglected, or treated with deliberate personal harshness or rigidity. Our impression was rather that the lack of understanding of children's needs led with the best intentions to a dreary uninteresting life in many of the Homes, and that this showed itself in a lack of liveliness and vigour in the children. The Homes seemed to be rather silent places except when active group games were being played. Children who were not helping in the house often gave the impression of spending their time in an aimless way, and even the little children were less busily and happily occupied than in a family where they were being well cared for, in a Nursery School, or even in street play. It is difficult to give any exact evidence of this, but the difference in the attitude of the children was so marked in those Homes where we felt that the staff had an unusually good understanding of the children and an easy personal relationship with them that it seemed likely that the lack of spontaneity, which we found in some of the children, was closely connected with the attitude of the adults towards them and the general lack of satisfaction in their daily lives. Even when the children were observed at play under fairly free conditions—on the sands from a sea-side Home, or in the garden—there seemed to be a lack of variety and resourcefulness in their play compared with that of other children of similar age.

211. A few illustrations can be given of our impressions of the children, but it must be realised that these are somewhat haphazard, dependent upon the day

of the week and the time of day on which we happened to visit. We were not satisfied with the general liveliness and happiness of the children in these Homes:

Single Home. Twenty-seven boys and girls.

" The house was very clean but somewhat comfortless, and the children somewhat suppressed, shy and unnatural in speaking to strangers. There seemed very limited opportunities for outside contacts. As far as one could gather from general observation the children were reasonably well cared for, though a bit slow and dull. The main defect of this place is that for the children it contains, life has to develop more from the circumference to the centre than by any growth of the children's own powers operating from the centre outwards."

Single Home. Twenty-four boys and girls.

" Although these children had the freedom of the garden they were not playing with the resourcefulness characteristic of their ages. This may partly have been due to lack of material, partly to lack of individual interest. They gathered immediately round the visitor, showing the intense desire for individual attention characteristic of children with some ' emotional hunger '. Most of the children seemed immature for their ages. There did not seem much warmth between the Matron and the children, but there was no constraint or fear. They are probably reasonably happy, but undeveloped."

On the other hand there were Homes in which we got a very different impression, and these were sometimes under the same local authority, a fact which pointed to the much greater importance of the personality of the staff than of any system by which the services were run. For example:

" In these Cottage Homes the foster mothers were young and obviously both interested in their work. At the time of our visit most of the boys were washing and getting ready for tea—stripped to the waist—full of life and good spirits. There was going to be fish for tea. (There are 16 in each house, which we thought too many. The accommodation is meant for twelve.) One or two boys were playing parlour games and two were out of doors playing with the swings at the back of the house. The boys have nice lockers in which they keep a variety of odds and ends of their own. They go out to Scouts and also to tea with friends and they can ask their friends to tea with them. They take a keen interest in football and the Social Welfare Officer had promised to do his best to get a corner on the stand at the local football ground for the older boys on the following Saturday for the Cup Tie Match. The House was seething with excitement at the thought of it."

Scattered Home. Accommodation 14.

" There is a very happy relationship in this Home between the foster mother and her 14 boys. She has been in the work for a number of years and obviously understands boys and how to get on with them. At the time of my visit some were playing halma with her and others were drawing with crayons or reading. The boys go out to the local Church Scouts and are also often allowed to go out by themselves by bus or to such amusements as the neighbouring fair."

Nurseries

212. It was a common practice to separate the infants from the toddlers and older children in separate nurseries. Where the infants' nurseries were nearby, it was very rare for older children to have any contact with the babies or for the babies and toddlers to associate with the next stage in age. The babies consequently suffered a certain loss of stimulus and interest and in some cases they actually appeared to be retarded. Where there was more mixing of ages the toddlers appeared better developed and they talked more. We came across a notable exception at a set of Cottage Homes in which the children had great freedom. They played in extensive grounds and were able to make friends with the babies who were accommodated in a separate nursery adjacent to the cottages. The children looked very healthy and wore individual and brightly coloured clothes.

213. On the whole the nursery units of whatever kind were better run than other types of Home. We saw some excellent Single Home nurseries set in large grounds and very pleasantly decorated. In only one or two cases did we see nurseries of mediocre standard where the children, though not dirty, smelt unpleasant and were not so carefully looked after as others. There were far more toys in the nurseries than in the other Homes and much greater efforts had been made to provide brightness and lightness in decoration. Even in this there was considerable difference in enterprise. In some cases the nurseries had bright curtains, mats and coverlets; in others everything was drab. In some the black iron cots had been enamelled white or pastel colours: in others they remained black. Not many of the nurseries had perambulators and there was little evidence that the babies often got an airing outside the grounds. Progressive authorities provided sandpits, paddling pools and perambulators but these were infrequent. The residential nurseries which were also training centres seemed more lively and happy. The young trainees (very much the ages of the older girls in Homes) played with the children and taught them to speak.

Methods of Discipline

214. We did not find that discussion with the staff of actual methods of discipline, rules and regulations was very illuminating, except in throwing light upon their general attitude towards the children. Punishments and rewards carry meaning for the child largely in terms of his feeling for the person who administers them, and must therefore be considered in terms of personal relationship as well as of method. Moreover, descriptions of punishments given in general terms are notoriously unreliable, often when there is no attempt to mislead. In some areas the form of punishment is regulated by the Public Assistance Committee and punishment books are kept. We met with only one complaint that this was hampering to the house mother's judgment about what kind of handling was best for the individual child. Corporal punishment is strictly limited by statutory order.

" She criticised the rule that boys should not be slapped (laid down by the Committee), as she thinks it often healthier to slap them and get it over rather than to deprive them of activities. This would, I am sure, be done mildly and in good part. A punishment book was seen and contained entries such as " sitting instead of playing on the beach," " kept in from play." There were not many punishments entered. The entries were signed by the Master of the local Public Assistance institution who was finally responsible for the running of the Home. These boys seemed on good terms with the house mother."

Some typical reports about discipline are:

Single Home. Thirty-five boys and girls.

" The normal punishment is by putting the child to bed and depriving him of privileges. A drastic punishment is only given by order of the committee. The superintendent said that there was very little corporal punishment. Pocket money is sometimes stopped. This can only be done if authorised by the committee. Another form of punishment is by giving extra domestic work."

Single Home. Forty boys.

"The children are punished mainly by being put to bed, but they are occasionally slapped."

Scattered Home. Twelve boys and girls.

"For bed-wetting or food pilfering, children may be sent to bed, kept from attending Guides, docked in pocket money."

In one Home we found a small boy in bed on Sunday afternoon because "he had been running about outside when Master likes them to keep quiet."

The Treatment of Difficult Children

215. On the whole the members of the staff to whom we talked did not appear unduly troubled about the behaviour of the general run of the children who came to them. We came across few instances of children getting seriously out of hand although some were recognised as defective or unstable. There were probably fewer complaints of children being "unmanageable" than in many elementary schools. The main difficulties reported were general "backwardness," bed-wetting, pilfering and destructiveness; perverted behaviour was reported in a few instances. It would not be safe to assume from this that children did not show other kinds of difficulties. Experience has shown that certain kinds of behaviour tend to be picked out for special comment by staff in charge of children and that those whose "problems" are of a more personal kind and less troublesome tend to pass without comment. It is perhaps of interest that we were hardly given any example of children who were unduly shy or solitary, of children who had special fears, or who developed food fads or special difficulties, though it is unlikely that Home children are any less liable to such troubles than children who are living more normal lives—indeed the evidence of experienced witnesses suggests the contrary. What is more probable is that members of the staff are not aware of these things as difficulties, or, that if they are, they do not think they are worth mentioning.

216. Defective and dull children cause difficulty in many of these Homes and they are to be found in considerable numbers. In two of the Cottage Homes that we visited there was a group of children "certified" (Education Act, 1921) as feeble-minded and attending a day special school, owing to the lack of accommodation for them in a residential special school. The Medical Officer of Health of a Home caring for ten such children said that some of them were low grade feeble-minded, and not suitably catered for in Homes intended for normal children. In one single Home in a county with no special schools, either day, or residential, there were two defective boys under statutory supervision (Mental Deficiency Act, 1913): both were attending an occupation centre. Particulars about these boys were obtained from the local Association for Mental Welfare. One boy, aged 14, was feeble-minded, and had been excluded from elementary school because he was detrimental to other children; the other, aged 10, was an imbecile and "notified" as ineducable. Both these boys appeared to be well cared for, but they were an added burden to a seriously overworked staff. In one Home three children belonging to the same family were seen, and all were regarded, apparently with reason, as defective, though they were not certified. The eldest, a girl of fourteen, had been tried in training for domestic service, and had been returned as "untrainable." She was said to be disturbing to both boys and girls on account of her sexual behaviour, but was being kept on for the time being to help in the Home. One of the brothers had also a marked speech defect, and both the boys were seen to be teased by the brighter ones in the group. The house mother in a particularly well-run Scattered Home found that her chief difficulties centred round two adolescent girls, who, in the opinion of the Public Assistance officer, were defective, though one had not been examined, and the other was not regarded as defective on examination. One of these girls, aged thirteen, attending an Elementary school, was unable to read, write or tell the time, and refused to do any work in the Home. In another Home under the same authority, two girls were regarded as defective, and one, aged twelve, was said to be having a bad influence over the other girls because of her abnormal behaviour. The Master had tried to keep her separate from the other children but had found this impossible to manage. The cases quoted were the most outstanding examples of actual or apparent defect: many more children were described as dull and backward.

217. Bed-wetting stands out as the most frequent complaint in Homes but with one or two exceptions it did not seem to be a chronic problem with most of the children in the Homes we visited. We found one Home of forty boys, three-quarters of whom wet their beds, though not all regularly. No special advice seemed to have been asked about this and there seemed no obvious reason to account for it. The boys seemed happy and well-cared for. The physical care of the children was good. There was an upstairs lavatory and a light provided. One house mother in a Grouped Cottage Home said that half her thirty boys wetted their beds when they first came but only four still continued to do so. Most of the foster mothers said that it was the usual thing for children to wet their beds when they first came and it seemed a general practice to start them off with rubber sheeting. On the whole the handling of this problem, which is as perplexing and irritating as any with which staff have to deal, seemed sensible and tolerant. In most cases it was regarded as a symptom. According to the statements of members of staff, punishment was very seldom used and compulsory sheet washing was rare though in one Home we were told that the elder girls did the washing voluntarily. The cutting of drinks in the evening seemed to be the exception rather than the rule. In most Homes, there was a routine raising of such children at 10 o'clock. In one Home the most successful course was said to have been to allow boys, who had been dry for a fortnight, to wear pyjamas rather than night-shirts. Prescriptions were occasionally given by medical officers. In a few Homes the staff had tried various methods but had found no solution and regarded the problem as hopeless. For the most part it was regarded as an unfortunate habit but a few members of staff with whom we discussed it had gone further and had become interested in the relation between the habit and the child's feeling of security. Several members of staff said that they would have been glad to have the advice of the Child Guidance Clinic on this and other problems. One matron said that she noticed that when children were ill they did not wet their beds and she attributed this to the fact that they were getting the extra attention which they needed. She did not think that punishments or rewards were much good.

218. Destructiveness was mentioned most often in relation to boys except in one or two cases where it was a more serious problem. It was seldom realised how closely this problem was linked with the lack of play material (sand, clay, water, wood). The description given by one house mother of a Scattered Home illustrates the kind of behaviour which might perhaps be expected in a Home in which there was little material for play indoors and where the small garden was given up to vegetables with the result that the boys were met with a "keep off" notice as soon as they left the house.

Scattered Home. Eighteen boys aged 5-15½.

"Most of the boys appear to be backward. Several boys of twelve or so could not tell the time. The house mother complained of their destructiveness and said that she had not been able to let them out by themselves in the neighbourhood because a group of boys had interfered with the electric engine

[illegible]. Books were torn, toys broken. There is some stealing, but this is generally due to the admission of new boys who may have been taught to steal by their parents. One boy, particularly difficult, dull, destructive, using bad language, tears his sheets, throws things at other boys and when reproached, soils himself. He is to be examined by the doctor of a local Child Guidance Clinic who will see him at the Public Assistance institution."

The mixture of ages, and lack of opportunities for grouping the children so that they could spend their play time in ways normal to their age seemed in some cases to account for destructiveness. Shortage of staff undoubtedly added seriously to this problem. In one Home, for example, the age range varied from 5 to 16. There were twenty-two boys below the age of seven, and sixteen over this age. The Superintendent and his wife, who had no resident assistant, and only one part-time cleaner, said that it was quite impossible to run a Home with this grouping. There was only one room used also as a dining room, in which all these boys played together. The following description is therefore hardly surprising:

"The children were all playing together. There seemed to me to be too many younger boys compared with the older boys. No one exercises any supervision over them when they are playing games as the Matron and the Superintendent are too busy . . . . There are hardly any games in the playroom and practically no books. The boys were so destructive that it was no use letting them have games or books. This indicates a serious lack of care."

219. Pilfering was less often mentioned than destructiveness, and seemed mainly attributable to a few of the more difficult children. In one or two instances we were told of boys who were admitted from bad homes. One house-mother in a Scattered Home said that she had occasionally found newly admitted boys taking things from other boys' lockers in the middle of the night, and she thought that they must have been influenced in this kind of behaviour by their parents. Another house-mother was troubled by pilfering from the store cupboard for which she had found a very difficult adolescent girl responsible.

220. In several Homes the help of a psychiatrist or psychologist or children's physician would have been welcomed by those in charge. In a few cases the child had been sent direct to a local clinic, or arrangements had been made for him to be examined by a psychiatrist from a local mental hospital or child guidance clinic. We found few instances in which treatment had been carried out during the child's stay in the Home: there were only one or two areas where this would have been practicable. In one area a county psychiatrist was available to visit individual Homes in the area, but we did not happen to come across any of the Public Assistance Homes in which children had been examined by him. In one county borough an Educational Psychologist had recently been appointed, and the master and matron very much welcomed this appointment and were looking forward to her help with some of the more difficult children. With one or two exceptions we found very little evidence that the child guidance service had begun to play a part in helping the staff of Homes with difficult children. The provision of these clinics is not yet on a sufficient scale to make them readily accessible.

Religious Care

221. The part played by religion in the lives of Home children naturally depended upon the religious convictions of those in charge of the children. For instance at a cottage for toddlers aged three to five we saw the children being put to bed. The young house-mother in charge of them had taught them all to stand round her with their hands together and repeat a short prayer and sing a short hymn. At another Single Home the matron had taught all the older children to say a prayer before getting into bed, but she spoilt the effect of this in one case, by getting up a bewildered little girl to say "a prayer to the lady". It was not our impression that formal religion was imposed on the children in the Homes, though Church attendance was the accepted programme on Sundays. In some Homes there were short prayers morning and evening; in some grace was said at meals but neither practice was general. Care was taken to see that the children either attended a place of worship of their own denomination or, if this was not possible as sometimes in the case of Jewish children, that a service was specially held for them inside the Home. In many instances the children belonged to the choir or to organisations attached to the church. Membership of the choir seemed to play an important part since it gave the boys an opportunity for service and the community an opportunity to appreciate the Homes. Boys in Homes are often the mainstay of the choir; in this respect they have an advantage not enjoyed by the girls. For many children church seemed to be the only means given them for enjoyment of music and singing, apart from the wireless programmes. Our impression was that the staff did not find in Ministers of Religion any special encouragement apart from the valuable offering of activities to the children. We came across some Grouped Cottage Homes which had their own Chaplain who was said to be very interested in the children. As one matron said "The Vicar comes in and out quite naturally as the friend of the whole family". The other end of the scale was reached with the remark of a master and matron, "We never see the clergy unless they come to make a complaint".

After Care and Choice of Careers

222. Apart from such considerations as we have already noted, that the lack of stimulus and interest provided for young children in certain Homes may result in retarded mental development at an age when the young people should be preparing for work, there was a good deal of evidence that in most Homes the question of a career was not considered sufficiently early. At an age when in the normal home friends and relations are asking "What does he want to do?" the Home child is often leading a docile regular life without any responsibility or excitement and with very few interests connected with life outside the Home. Such a child must be at a hopeless disadvantage unless those responsible for him make a point of considering his abilities and discussing with him what he wants to do. It is very rare to find that, where a boy or girl is not apparently gifted in any particular way, any psychological test or help is sought, so that technical instruction of a suitable kind can be given as early as possible. The choice of careers and after-care seemed to be either the concern of the staff of the Home or of the local authority responsible. Occasionally the boarding out visitor acted for the department. In one case the matron in charge of Grouped Cottage Homes told us that she greatly resented the work done by the Public Assistance Committee in finding work for her children. She felt that she could do much better for them and could keep an eye on them as well. Neither in the case of the department nor in that of the individual master and matron was there much evidence of consultation with the Juvenile Employment Service. It was generally the custom to combine after-care with the choice of careers so that the same person was responsible for both. In some Homes it seemed to be recognized that the boys or girls were not of good enough calibre for skilled occupations, and that the best that could be done for them was to find them a job on a farm or in domestic service. It was clear in many instances that no special study was made of the aptitudes or special interests of the children.

There had in some areas grown up a long-standing tradition that girls with a little experience of housework might become available for domestic service through the matron, and the girls seemed to be given little opportunity for hearing about other types of employment and for sharing in the choice of employment that would have been open to them outside. It must be recognised, as one of the possible difficulties in choosing a career, that homeless children have special needs at the school leaving age. Residential employment has obvious advantages, particularly for girls, at a time when lodgings are scarce. Nevertheless in our view nothing could justify the lack of care which seemed often to be shown in choosing employment best suited to the abilities of children deprived of normal home life, since the right kind of employment must be one means of compensating them for their loss. In some areas hostels are provided for working boys and girls from Homes and for other children lodgings are found. More trouble was taken in some Homes to find employment of a varied and individually suitable kind for the boys than for the girls.

223. As regards supervision after the boys and girls have been placed in employment, we found that arrangements were sometimes made for a lad to call in at the Public Assistance (or Social Welfare) office for supplements to his wages. Supervision was also exercised over the payments made to his landlady and the allowance made to him for spending money. This kind of supervision was not thought to be necessary where the master and matron were continuing to look after a boy. A good deal of reliance seemed to be placed upon the employer or the boy or girl to get into touch with the person responsible for supervision when things went wrong. We gained the impression that after-care was a haphazard affair which depended too much on the time and good will of staff often already overworked. In a single Home run by a master and matron with an assistant nurse several boys had been sent to farms. One of these was said to have been returned to the Home four times. He told us that he hated farming but the master appeared to think that farming was the only work in which the Public Assistance Officer could place him. Often boys about to go on to farms said that they did not want to do this kind of work.

224. We found a number of instances in which boys and girls revisited Homes in which they had been brought up and many masters and housemothers referred to letters which they received from them. We heard quite often of boys who came back for weekends or when on leave and once or twice of girls who brought their babies to be shown off to members of the staff. In one Home old boys were welcomed to the holiday camp. On one occasion a taxi driver taking us to an orphanage volunteered the information that he had himself been brought up in a Public Assistance Cottage Home and had recently taken his own boy to see it.

HOMES MANAGED BY VOLUNTARY ORGANISATIONS

225. A large proportion of the children with whom this Committee was concerned were found to be in the care of the different charitable organisations which provided for homeless children. These organisations varied widely in size, funds and capacity. At one end of the scale were the three large societies each caring for thousands of children in Homes established all over the country; at the other, were the small villa Homes, managed by a local committee and financed as a local charity, for seven or ten local children. A large number of these organisations, both great and small, owe their inspiration to the religious denomination to which they belong. In their Homes they take the children of their own denomination as their first concern, although many are willing to accept any child falling within a general religious classification such as "Protestant." Where the organisation caters strictly for children of its own faith there is often a reciprocal arrangement with other organisations to transfer to each other children outside the special category for which they provide. Often societies provide Homes for a particular type of child, e.g., the legitimate, the illegitimate, girls, boys, children of fathers in certain trades and occupations, fatherless or motherless children, the crippled, blind or defective. In the case of some endowed Homes strict specialisation has been a source of embarrassment as the terms of the trust under which some charities have been established have precluded the acceptance by societies of children outside their normal category. The improved provision for the maintenance of children in their own homes, and the special arrangements prevalent in a number of areas for the fostering of illegitimate children, have tended to reduce the normal population of such Homes. We found in our visits several Homes partly empty, which belonged to organisations whose main purpose could no longer easily be carried out.

226. We visited in all 140 Homes managed by voluntary organisations. The number of children provided for in these Homes was 10,217.

227. In the main the Homes run by the voluntary organisations expressed the sincere and general desire of their founders to do good to those in special need, and to make provision for the homeless child at a period in the nation's history when the statutory services were not as developed as they are to-day. Although often hampered by large buildings, which made difficult the individual relationships so necessary to the full effectiveness of their work, there was no indication that as a group the voluntary Homes fell below the general level of child care now obtaining throughout the country. In many instances they were well above it.

228. Speaking generally, the Homes under the control of a central organisation have the advantage of an enlightened general policy and the greater opportunities open to a large organisation for making good staff appointments. Those in charge of the Homes are better able to exchange ideas with other workers in the same field. On the whole therefore a good average standard can more readily be attained than in the small independent Homes. In some instances, however, there is a tendency for the local committee of a central organisation to be guided by old-fashioned ideas, as for example that domestic service is the only outlet for girls. We found too that there was a danger that the central office might be too far away to be closely in touch, and where this was so an independent keen local committee might have been much better and more progressive than one whose sense of responsibility had been weakened by distant control. In the independent Homes, there is a much greater variety of standard, ranging from the very good to the definitely bad. Where a strong local interest in the Home exists, as it often does, the committee may be a great source of strength to those in charge; and the greater freedom to experiment that comes of independence is itself an advantage where the aim is good. Financial stringency however often limits the amenities that the independent Home is able to offer.

229. The funds possessed by some organisations rendered them independent of any outside donations. The powers of inspection of the Home Office do not extend to Homes which are not maintained by charitable contributions nor, unless Public Assistance children are received, have the Ministry of Health any right to inspect. Until 1944, the Ministry of Education had no right to inspect a school maintained on such premises. In these Homes the children may be shut away from any outside contact or advice for the whole of their childhood; they may be in the hands of untrained and narrow-minded

from the result that they may go out into the world unprepared for ordinary life. We found such organisations in different forms professing different faiths and receiving different categories of children. They were, with few exceptions, alike in their disregard of new ideas and new methods in child care, in their misunderstanding of the needs of present day children, and in their failure to make any provision for the individual such as individual dress, possessions, and liberty. Other Homes were subject to inspection by one or other of the Government departments and the need of some to appeal for voluntary contributions from the general public tended to bring them into line with the community. Even so the standards we found varied widely from those which (whether the Homes were large or small) were able to provide the intimate, informal family atmosphere to those in which the life was institutional, formal and uninteresting.

Type of Home

230. In type the Homes were of much the same kinds as are described under Public Assistance Homes. There were a large number of institutional Homes of the "barrack" variety often with imposing buildings, built as a symbol of Victorian philanthropy and intended to catch the eye and to impress the passer by. In these Homes the rooms were often bare and comfortless, and so large that it was usually impossible to set aside any place for quiet occupations or hobbies. As voluntary effort became allied with modern ideas on child care more Homes were built in the style of Grouped Cottage Homes. While the cottages are not as small in size as the more enlightened societies would like, they do represent in their smaller groups and individual houses and grounds a very great advance upon the institutional home. Probably the bulk of the voluntary Homes visited fell into the Single Home group. These may be Homes established by a large organisation with central administration or Homes run by local committees, and they varied in size from Homes for 50 to Homes for 8. We came across no examples of voluntary Homes equivalent to Local Authority "Scattered Homes" though in a number of cases small single Homes in a row of houses of the same size and type were seen. Finally one or two of the large organisations had instituted a system of boarding out, in some cases only for babies, in others for the whole period of childhood.

231. In looking for Homes in a neighbourhood our attention was frequently drawn to unfortunate distinguishing names and notice boards. Such descriptions as "Orphanages" and "Orphan Homes," a "Home for Friendless Girls," a "Training Home for Young Servants," "Homes for Destitute Children," all seemed well calculated to mark off from their fellows the children thus labelled. Most Convent Homes and many others were distinguished by the names of saints though perhaps for this purpose there could be a better choice than the "Magdalen Home," which we found more than once. Many of the big organisations named their Homes in the same way as other houses of similar size and there were no notice boards to distinguish these Homes from other houses in the town or village.

Admission

232. The method of admission to voluntary Homes is in the case of the big organisations, through the Central Office and, in the case of other Homes, by application or nomination to the local committee. One or two of the biggest organisations possessed Receiving Homes through which the children were passed to the Home thought most suited to each child's age group and personality. In other cases after the completion of case history and medical records the case was considered in the central office and the child allocated from there. So far as we could judge, from viewing this process from the receiving end, the actual allocation has recently depended more on whether there was a vacancy in any particular Home than on any other factor. It must be remembered in this connection that many organisations lost some of their Homes through bombing and requisitioning (often more devastating in its results than an air raid) and that others had had to be closed because of shortage of staff. Some of the heads of Homes seemed ignorant of the history of the children in their charge; others had been supplied with duplicates of the records kept at the central office. Admission to the smaller Homes may be by nomination or by application, or both. The particular case would be considered by the superintendent and the committee and admitted if it was considered to fall into the category for which the Home was established. In this case the child would come direct to the Home and any cleansing or special care would be given there.

Organisation

233. The Homes which attempted to split their children into groups, especially family groups, were few. By far the larger number were content to deal with the children in the largest group allowed by the premises at their disposal. If in any degree the voluntary Homes fail in their special purpose, it is in giving too much weight to traditional methods and too little to the modern outlook in child-care. The large structures which are the inheritance of the voluntary child-care workers of to-day necessitate mass methods unless great skill is used in breaking up the numbers into "houses" or other groups. The Chairman of one large institutional orphanage told us that it was almost impossible to break up his boys into groups because of the difficult construction of the mansion in which they lived, although he was trying to find some way of doing so. These large buildings are often the property of the particular society or committee concerned. Much as many would like to move or build, their chances of getting rid of the premises are slight and funds do not allow of the purchase of more modern buildings. Those organisations which possess smaller Homes or, in a few cases, Cottage Homes, are more fortunate, though, as in the Public Assistance Homes, the "cottages" are often too large for the name. The more progressive organisations have been gradually developing their provision for children more and more in small groups as near as possible to family groups. Where the cottages as originally built were too large for present-day ideas, some organisations have split even these cottage groups to bring the numbers down to 10 or 12. Some societies with large and unsuitable buildings have made an attempt to deal with the problem by placing their children in family homes during holiday periods so that the large institution no longer serves the purpose of a home, however unsuitable, but simply becomes a kind of boarding school.

Buildings

234. The use of large and unsuitable buildings to which we have referred not only precludes dealing with the children in small groups, but also often gives them a dreary and comfortless environment. The following are notes on some Barrack Homes we visited:

> "The usual barrack type in a gloomy building. The best is made of the accommodation, but even then it is rather spartan, and cannot be described as home-like."

> "An old barrack type building. There is a general poverty-stricken air about the whole place. It is difficult to get enough money to keep the Home going. The home generally is badly equipped. The boys were sitting down to dinner on forms at a long table, and the whole place looked dirty. There was one large bedroom with suitable beds and lockers. The whole

of the appearance of the home was spartan. None of the rooms was very clean. There was not the slightest suspicion of comfort or cheerfulness about the whole place."

"The building consists of large forbidding looking grey stone blocks, some of which have been occupied by a Service Department during the war. We were told that when it was inspected for Air-Raid Precautions, the comment made was that no further security measures would need to be taken as the building was already 'like a fortress,' and this was the impression it gave. The floors are bare stone or scrubbed unvarnished wood. The dining room is ugly and stark to the last degree, with long bare tables, wooden benches, and bare scrubbed board floors. I have never seen a children's Home more lacking in comfort and cheerfulness. There is nothing here that could delight the eye of any child, except perhaps in the playroom of the toddlers—no pictures, no flowers, no coloured curtains or cloths. The place is drab and scoured."

Sometimes in apparently hopeless buildings we found that much could be done by the provision of bright paint, small tables in the dining room, space for quiet reading, comfortable chairs, bright bedspreads, rugs and lockers to do away with the "barrack" appearance. In many Homes more attention to these comparatively inexpensive details would have done much to transform an ugly and comfortless building.

235. Side by side with these legacies of barrack buildings from earlier times has gone on the acquisition and adaptation of large country houses which find no ready market as private houses. Some of these Homes, by the skill of the people responsible and the staff, have been transformed into pleasant buildings of an informal kind set in informal grounds. Others which proved too expensive to modernise or to keep in repair have reached very low depths of provision for growing children. The following examples represent these extremes:

(1) "This Home is situated in a large private house in its own grounds. It is a delightful building for children. The accommodation is very good in all respects, it is a nice airy old manor house. The grounds are ideal for the purpose, and it has a very cheerful atmosphere. Obviously great care and attention are given to the children."

(2) "This is a large private dwelling, the oldest part of which is about 200 years old. There is a large garden, with beautiful trees, and the farm, at present let off, is part of the estate. In spite of the scale of the house, it has proved unusually adaptable for its purpose. The living rooms provide three good play-rooms—one used for toddlers (with lavatory and wash-basin adjoining, and good large low cupboards and shelves), one for boys, if they want to play separately, and one large pleasant room which can be used by all the older children. This room with wide windows over-looking the garden, has one wall lined with ample glass fronted book-cases and individual curtain-covered shelves below. There is plenty of room here for round games or for dancing. The few older girls also have a low ceilinged store room kept entirely for dolls play, surrounded by cupboards, decorated with toy tea sets, and full of dolls and prams and all the material for family play. This room is regarded as strictly their own and grown-ups only come in by invitation. In addition there is a squash court in the grounds which provides excellent space for romping play and for dramatics which can be watched from a little gallery. The sleeping rooms divide up well for different age groups, the largest containing about twelve beds, being used for older boys, and the three others, containing about eight beds, for girls and toddlers. The dining room has French windows opening on to a verandah. The children sit at tables for about six, the staff scattered round with them. The tables are attractively arranged with bright American cloth and flowers. There is a good staff common room, and the Superintendent has a separate flat containing a bedroom and large sitting room, which can be locked for privacy."

(3) "A converted private house with a large secluded garden, two ample night nurseries with accommodation in each for about fifteen babies. Specially converted bathrooms are being provided with high baths of special design. There is an ample-sized play-room upstairs. Large-sized cubicles are provided for the staff, and there is a particularly comfortable sitting room with books (mainly fiction) and wireless. The whole house is very homelike and comfortable."

(4) "The whole house was in a dilapidated condition and had evidently not been repaired or painted for many years. Plaster was badly broken in several of the dormitories, and damp was coming in. The living-room is one large bare playroom on the second floor. The windows are still partly blacked out, the walls grey and the floor bare boards. There is not a chair or bench in the room, and boys were sitting on the floor. The dormitories were completely lacking in any sort of comfort or homeliness. The dining-room which can probably be used for play contains tables seating about 20 boys each. There were rather soiled table-cloths."

236. Only the wealthier organisations were able to build groups of Cottage Homes but those we saw were of good standard. We visited more than one group like the following:

"These cottages provided an excellent type of foster home and were managed by good house mothers. The standards were high and the children had many pleasures in a home-like and serene atmosphere. Here large cottages taking 20-24 children had been structurally altered to make two cottages each with its family of 10 under a trained house mother."

Both these organisations and many of the smaller societies or committees spread their children into several smaller Homes rather than continue to house them in one large building on institutional lines. Thus all over the country we found small Homes housing 20-30 children with a house mother or man and wife and an assistant, who were sharing the ordinary life of the village or town. Although a great deal larger than a family group these Homes had about them a family atmosphere and in the best of them it was plain that the children were very happy. What could be done in this way the following extract from one of our reports shows:

"At a Home which was a branch of a large voluntary organisation we saw a young foster mother and her assistant who were bringing up 20 little girls aged 5 to 14 in a pleasant villa on the outskirts of a large town. The Home looked much like other houses in the vicinity; there was nothing to distinguish it from its neighbours either by size or grounds. There was the usual tennis court and vegetable garden found attached to homes of this type. The House was not too large to be homely, and it was evident that it did represent home to the little girls who lived in it."

In contrast to this we saw another house of a similar type which had been taken over from a famous family and which was the picture of desolation:

"The place was rambling, inconvenient and incredibly bare. In the boys' rooms there was nothing to sit on and nothing to play with. Difficult as such a place must have been to use, it was not impossible and the plan of the building was such as to lend itself more readily to small sub-divisions than a more compact place. Nothing of this kind had, however, been tried and the boys lived, ate and slept in dormitories on much the same lines as a barrack home."

Qualifications

237. Our impression, based on such information as we were able to obtain, was that, of the Superintendents, about half were trained in some way for the purpose of their religious orders or denominations, or as nurses, Moral Welfare workers or teachers. The rest, often helpful and kindly and even outstanding in sympathy and common sense, were qualified only by experience. In some cases the experience was exceptionally valuable such as acting as nurse to children in a family. The subordinate workers had more frequently received some form of religious training than any other kind, e.g., Salvation Army, Church Army, the training of the Catholic orders. A fair number had received training and certificates from one of the big organisations giving training in child care, a few were teachers, nurses or nursery nurses. The remainder, by far the majority, had received no training other than experience. The wish for such training and its general desirability were frequently mentioned. Untrained staff had usually gained their experience with children in private families (one young house mother whose general attitude to the children was, we thought, excellent was a good example of the value of this type of experience) or from working as temporary house mothers or assistants or even from bringing up their own children or mothering their brothers and sisters. A few had had little to do with children before they found their place in the Home through the wartime shortage of staff but when they did find it they determined to stay.

Numbers

238. The ratio of staff to children varied very much as between Home and Home. On the whole it was low, sinking to a minimum of 1:17. The average in those Homes we visited was 1 : 7 but it must be remembered that in this assessment, a number of minor assistants count as staff who did not take responsibility or contribute much to relief. Those Homes which were either nurseries or which contained nursery units or nursery school units were generally better staffed (as in local authority Homes) than the Homes for older children. On the whole the centrally administered Homes were better staffed than the private or local Homes, no doubt because many of them provide training of their own for which they recruit. Homes which fell below efficiency level were found in both groups. In some Homes the staff was so inadequate that the whole of the domestic work had to be done by the children. At a Home for 30 boys we were told that the only assistance given to the master and matron was the evening visit of the local Vicar who stayed with the boys while the couple went out. This Home was at camp with the master and matron at the time of our visit. From what we could see it seemed beautifully kept, particularly the gardens which were said to be the master's pride. But it is doubtful how long any two people, however keen, can keep up work at this level and share holidays with the boys as well. This home, incidentally, provided an excellent example of a converted private house, showers, sluices, sanitary blocks, etc., having been added to the usual offices.

Relations with Children

239. We saw many Homes in which there was an easy and friendly relation between the children and the staff. In some, however, particularly the larger establishments, there was little sign of the confidence and affection which a good family background should foster; on the other hand there was seldom any sign of fear or dislike. In the main the children accepted the staff and seemed usually to develop some affection for them.

Examples of the different levels reached in this respect are:

Home for 60 boys, aged 5 to 16, a branch of a large organisation.

"These youngsters all looked very well cared for. I was impressed with their independence in going about their household duties, even the boys of eight or nine. One little chap was busily sweeping the passage after breakfast, singing happily as he did so. The children seemed natural and happy at their meals, talking and laughing, but without any rowdiness—whilst the visitors were having their meals at another table with the staff in the same room. They came in in order of age, but without any lining up or marching, and left, when dismissed, individually. They did not seem to need constant supervision from the staff, and one had the impression of children whose meal-time manners were well established and not artificial. The atmosphere for friendliness and comradeship in this Home was quickly evident. The children responded to adults as though they expected interest and sympathy and a common sharing of amusement. I was particularly impressed with the motherly care that was being given to little boys at bed-time. In spite of a big and rather formal dormitory, the Sisters seemed able to give these children a sense of cosiness and comfort, combined with orderliness."

Small independent Home. 16 girls.

"The Matron is an over-anxious woman of about 55, who has evidently been much burdened with the work and worry of wartime conditions (bombing nearby). Her manner with the children was 'fussy, possessive, and rather irritable.' She answered questions addressed to them, prompted them in what they said, and jumped on one child in front of the visitors for not having wiped her nose, sending her out of the room. Her outlook was a narrow one. The children seem to be over-protected and more fuss is made of their appearance than of their general development. The Matron speaks of being 'passionately fond' of some of them . . . . These children cannot carry on an ordinary natural conversation with a stranger without embarrassment, constraint, giggling. The Matron finds a good many of them difficult. She mentions the frequency of nail-biting. She makes left-handed children use their right hands. She mentions particularly destructiveness, including clothes. She deplores 'tempers' and the 'saucy tongue' of one of the older girls. These children are not developing into vigorous independent individuals with a knowledge of the world into which they go. The Matron is doing her best, but her outlook is very circumscribed."

Physical Care

240. The physical care of children in the Homes covered by this section of our report was generally good. We did however find some Homes in which this aspect had been seriously neglected. For example:

"We did not see all the boys, but I was struck with the fact that the youngest looked in the best physical condition, and that the eldest boys looked in very poor condition indeed—thin, tired and listless. It seemed as though the more stable had survived the crude conditions, but that the less fit children who were growing rapidly had suffered from the poor physical care and the very bad sleeping conditions."

"These children were grossly overworked both during school years and afterwards, and some of them look pasty and tired, though not all of them."

In sharp contrast is the Home referred to in the first extract given in paragraph 239.

noted on several reports was the lack of vivacity and natural ease of the older children compared with the generally high level of cheerfulness and healthiness of the younger children. They seemed in many instances listless and apathetic. This seems to indicate a measure of failure in providing and maintaining normal home conditions in those Homes where these evidences were observed. It is significant that in every instance where these facts were sufficiently marked to find a place in the visitors' report, the premises were all of the large, uncomfortable type where there were limited possibilities for arranging the children in smaller groups, or where such possiblities as existed were not used.

Clothing

242. The custom of dressing children alike in Homes and Orphanages with its stigma of " charity child " is fast dying out. We saw a few old endowed Homes in which a traditional uniform is still worn on formal occasions and the boys appeared to feel a pride in it. In one such Home only did we find that a uniform of this kind was worn every day at an outside school, marking the boys as coming from a " Home," especially as very heavy and unusual looking boots were worn with it. In a few other Homes the children were dressed alike though not in uniform. In one case this was because one of the big stores had generously given surplus window material. Although the little velvet dresses made from it were individually charming there was too much regimentation when two hundred little girls appeared in similar frocks. In the majority of Homes very great care had been taken to provide pretty individual dresses for the girls and different coloured jerseys for the boys. On the whole and considering the difficulties of the war and post-war period the standard of clothing in voluntary Homes was good. Comments, such as the following at Convents, were frequently made:

" Children most tastefully dressed in smocked frocks. Sister had a great collection of various coloured frocks, blue coats, etc., all very nice."

" Clothes individual and attractive. Gradually wearing out uniform coats and substituting individual coats in different colours."

In one small Home for twenty-four girls, aged five to fourteen, the Matron had bought a number of different coloured straw hats which she was trimming. She did not want her children to look " less nice " than others at their school. In very few instances was the clothing noted as poor and shabby or inadequate. In one such instance we were in a Home for twenty-four boys, locally and inadequately financed and managed by a superintendent described as " self-centred, complacent and content with a low level." He had no helper and desired none but his wife. " The boys (and their clothes) were grubby and unkempt and, in accordance with the superintendent's spartan notions, wore no underclothes." Occasionally we found Homes in which the clothing was dull and old fashioned. For instance at a Convent Home for girls and women of all ages the usual dress appeared to be white blouses and long tunics of old fashioned cut. This dress was worn by all inmates of whatever age except that the old ladies wore shawls in addition.

Diet

243. We saw a number of meals in progress, visited the larders and saw the diet books in a number of Homes. In very few was there any occasion for criticism about the feeding and serving of food or the quality of the food provided. Comments such as the following were frequent—

" Meals appeared excellent. Cooked breakfast, porridge or bacon, etc. Dinner: at the Home—meat, fish, raw salad, puddings. Tea: bread and butter, jam, cake or cheese. Supper: bread and dripping, etc., milk. Many gifts of food—new laid eggs, syrup, fruit."

" Home has its own garden with plenty of vegetables and fruit—also hens."

Great trouble was taken by some house mothers to bottle fruit and make jam. We found one Home managed by a Moral Welfare Association in which rations were not fully taken up, " because the girls over-ate and became lazy " and in one instance the comment was made by the management that the rationed allowances were not sufficient to keep the children healthy and happy. As rationing applies to all Homes the fault was probably one of the management rather than supply. In some cases we noted that the food was dull or monotonous or that the menus were the same for each week. In one or two we thought the amount provided insufficient. The reason given at one Home was that, although they had plenty of points, expense had to be cut down and they could not buy as much food as would have been available. As in local authority Homes advantage was seldom taken of school meals.

244. The serving of the meals seemed to us to have an important bearing on the value of food. There was great variation in these arrangements from long trestle tables and enamel plates and mugs to pretty separate tables and attractive cloths and china. At one Convent Home for eighty small girls we were told that they had enamel plates as they " might break china "; at another Convent Home for Mental Defectives we were told that the attractive floral china they used " helped them to learn to take care of it." Here is an account of a small local family Home for eight girls at tea: " Excellent food for tea. Bread and butter, cheese, golden syrup and buns. All sitting happily round a table, the elder girls spreading bread and treacle for the younger and taking charge most competently. They looked a delightful picture . . . . . "

245. In certain Homes it was noticed that the Staff had their meals apart from the children or that although they ate in the same room they were given different food. The happiest atmosphere was found when Staff and children sat down together and it seemed probable that by this the children were helped to behave well and considerately at meals.

Medical Care

246. In the greater number of Homes the local doctor sees the children on arrival and afterwards only if required. In very rare cases the doctor visited at regular weekly or monthly intervals. In some large Homes there is an appointed Medical Officer who makes frequent visits and regular examinations. These Homes set a very high standard of medical attendance quite equal to that in the local authority Homes.

Daily Routine

247. Rising before 7 a.m. for children under 14 was only noted in a few cases. Even so there was a long day, in some cases well planned, in others monotonous and uninteresting and too much occupied with housework. Early rising was usually connected with the need for work to be done in the house, beginning with the immediate making of beds on rising so that they were never aired. In one Home where the boys rose at 6.15 a.m. each had a definite section of scrubbing to do before breakfast; and in other Homes a considerable amount of dusting and polishing is done. In several of these cases the Home building was large and barrack like, and it appears that the children suffer if such a place is to be kept in spotless order. In one large Convent Home, where a large amount of laundry work is done, the girls rise at 6.30. In most Homes children were required to do no more than

make their beds, keep their bedrooms tidy, help in laying out meals, in washing up and in a little cleaning. The work periods varied considerably. In a well staffed Home they might be as low as half an hour a day; in one or two unfortunate instances the housework even for school children was as much as four hours a day. In one Home of little boys aged 4 to 8 the Matron said that when they asked to do little jobs, wishing to be helpful, she encouraged them even if the jobs had to be done again. We thought that as a general practice too much use is made of boys and girls in housework for housework's sake rather than for its primary purpose of cleanliness and comfort. In some hands housework appeared to become an instrument of repression, a means of keeping children out of mischief, a daily discipline and even a punishment for misbehaviour. Such methods can only destroy any interest which boys and girls may have in looking after their home.

248. A totally different problem occurs in some small training Homes where work which could be done by two or three house-maids may be all the occupation for eight or nine girls who seldom go out. In one small Home of this kind a solution had been found by allowing two girls to go to daily work in the local Children's Hospital. In no kind of Home were we satisfied that the children doing housework receive a sufficiently thorough training in what they do. There is a real danger that the children may merely be solving the staff shortage or that housework is a simple way of providing occupation. There were, however, some Homes, particularly Homes for boys, which were working on more constructive lines. In one case the boys had certain "trades" (so called) which they learnt in turn and in another each boy had a job for a week.

249. In one notable instance, when the requirements of school hours and house duties had been met, there remained very little time for play, and scarcely any margin at all for free activities without direction.

> "This family—a large one, over two hundred boys and girls of all ages—got up at six, summer and winter, went downstairs to wash in cold water, and then spent half-an-hour in a bare gaunt schoolroom for 'spiritual meditation'. This was followed by an hour's housework, with breakfast at 8 and another period of prayers. The cycle of *ora et labora* brought another hour's housework at 9, so that when the children gathered in their own internal school for lessons at 10 o'clock they had already spent four hours in more or less trying activities. School ended at 12.30 with dinner at 12.40 followed by washing-up. Afternoon school was from 2 to 4 or 4.30 and a free period until prayers at 5.30 and tea at 5.40. At 6 the girls had an hour's needlework, and the boys an hour's 'prep.' This left an hour more or less free until 'cocoa and bed' at 8."

Education

250. About half the children in the voluntary Homes we saw attended the local primary schools (some went to secondary or technical schools) and half attended elementary schools within the Home precincts. A small number attended nursery schools within the Homes. A far higher proportion of children were educated inside the Homes than in the local authority establishments. It should, however, be noted that approximately half the internal schools were in two large organisations, one of which is of high standard with a complete range of education, including a secondary school from which the children gaining scholarships can go on to Technical or University education. In a few instances the provision of an internal school was in full co-operation with the Local Education authorities, the school premises of the residential Homes concerned being rented by the authorities for the purposes of local education. In these cases the full costs of the school, including teachers' salaries and school supplies were borne by the Local Education authorities concerned, and children from outside the Homes attended together with those who resided within them. Some of the self-contained schools were maintained in order to secure religious training in accordance with the faith of their providers. In such instances the major part of the cost fell upon the Homes themselves. One of the worst educational instances observed was in the Nonconformist Home described in paragraph 249, where the School was conducted on limited lines by untrained teachers, most of whom came from the school itself by a form of pupil teacher system. Outside training was discouraged as being subversive of their religious beliefs. In the Convents of one Order it is customary to employ unqualified teachers who may be entirely responsible for the education of the children.

Vocational Training

251. In a few instances vocational training was arranged through technical classes and evening schools. In the majority of the places visited this provision was lacking, whilst there were a few instances in which the years after leaving school were used too much for work of a routine nature. In certain Girls' Homes administered under a Religious Order, the girls of junior age became, on leaving school at 14, employed in the Homes as laundry hands, working full hours in old-fashioned and inconvenient buildings, converted to the purposes of trade laundries. In one such instance £85 a week was earned by work for outside customers. There was a certain vagueness about payment to the working girls. "Half-a-crown a week, five shillings if they are very good" was suggested, but not with confidence: sometimes it was "half-a-crown from time to time." Another similar but smaller Home was mainly supported by laundry earnings of £20 a week, the girls having no payment beyond a shilling a week pocket-money and from 5s. to 10s. a month banked on their account. The following was noted in one establishment as the routine of the normal day—6.15, rise; 7, Mass; 8, breakfast, 9 to 12.15, laundry or housework; 1.50-4, laundry or housework; 4, tea; 4.30, Benediction; 5 to 7, laundry or housework; 7.30, bed.

Leisure

252. Some Homes have good premises, large playrooms and good gardens but are without the right sort of library, constructional toys and the few possessions with which children can build a life of imagination of their own. In this the larger Homes, unless they are divided internally into family groups, are at a disadvantage. Possessions are more often in common, the dangers of destruction of books and toys are greater and the staff cannot take the same individual interest in the child and encourage his special interests and aptitudes as they can in the smaller Homes. Pets are not so easily kept and cared for amongst large numbers of children. In very many Homes, large and small, there was seldom provision for the older children to have a room apart from the younger ones or for suitable games or hobbies for the older group. Most of the nursery Homes had excellent toys for little children. One Home for little boys, not well supplied with toys, gave great happiness by the provision of a sandpit in the garden and even greater happiness by an accidental heap of sand in the drive. Sandpits were seen in several nursery gardens. While watching the children at their games we were often impressed by the family play in the small independent Homes and the happy sharing of facilities. The following comment is an example—"Swing boat—a few soft toys—splendid sandpit—tricycle—dog much appreciated—tin wheel barrow in great demand."

poor. Members of staff seemed readily to appreciate the need for the small children's play, but perhaps because so often of limited educational opportunity, they themselves have little idea of the needs within the Home of older boys and girls. At very few Homes was there a good library or use of library facilities, or provision of a quiet room to which older boys and girls could retreat. The impossibility in the average Home of any but the most book-minded children managing to read in the midst of perpetual hubbub has, we think, meant that there has been little demand for books or papers. Time after time we commented on the lines of the following notes:—

"Very deficient. Few books, no sign of hobbies. Only two Girl Guides from the Home."

"Nothing much for girls to do—mostly knitting. Only a back yard for recreation."

"Very poor equipment for leisure time except in the nursery. Only a yard for play."

In one of the Homes visited more effort had been made to stimulate intellectual development; the older boys and girls had constituted and were working successfully a Parliament for the discussion and regulation of their own affairs, members of the staff or visitors being invited from time to time to introduce topics of general interest suitable for parliamentary debate.

254. In most of the Homes seen some effort was made to provide the children with a locker or drawer of their own in which they could keep such personal possessions as they had. In some cases these were shown to us with great pride and when opened revealed the usual miscellaneous collection of oddments which children keep. It was, however, brought home to us how difficult it is in a large Home to avoid such things becoming common property. There are very few Homes in which personal photographs, pictures or ornaments are allowed in bedrooms.

255. Pocket money was usually supplied regularly, but often on a very low scale. In some instances the children bought their own sweets out of their weekly money; in other cases the sweet ration was extra. Convent Homes have not yet as a rule made arrangements to give regular pocket money to their children. In these Homes and a few others the children largely depended on presents from their families and irregular gifts from the Homes at Christmas and other festivals.

Outside Contacts

256. The encouragement of friendships and acquaintanceships outside the Home is still found infrequently and in some Homes the children were not allowed or not encouraged to join outside organisations. We noted a Convent Home where the girls went out to the Girls Training Corps and two other small Homes (branches of a large organisation) one of which had been adopted by the local Women's Institute whose members invited children to their Homes: the other had organised an "Aunts and Uncles" Scheme. Scouts, Cubs, Guides and Brownies are too often run within the Home, but where the children are allowed to belong to troops outside there is great gain. The "Uncles and Aunts" schemes seemed excellent if arranged with care but are unsuccessful when only the attractive children are wanted, or where some children receive more treats than others. We thought that in most Homes the children could have taken a much greater share in the life of the neighbourhood than they did.

Contact with Relatives

257. Contact with relatives is encouraged and on the whole is well maintained considering the difficulties of transport, fares and distances. We estimated that about a third of the children received regular visits, about the same number have very occasional visits or none at all. The rest have visits from time to time, less often than once a month. Only in a few instances did we find that the Homes made any attempt to prepare the family for the child's return or, where no interest was volunteered, to try to find relations who might take interest in him. Contact with the child's home was often maintained by the central office of the organisation where the child was not personally known.

258. The writing, and much more the receiving, of letters means a great deal to children. As with contacts with relatives letter writing seemed to be a matter of course for a third of the children, whereas about a third had no one to write to and received no letters. Occasionally an attempt had been made to fill the gap by way of "pen friends" but it proved difficult for children to keep up an interest in someone they had never seen. The "Uncles and Aunts" scheme should go some way to meet this need so long as some children are not left out. Both incoming and outgoing letters were usually read but in a few instances those in charge held strongly that the children's outgoing correspondence to their relatives should be free.

259. The practice in regard to holidays varied considerably. In some Homes great efforts were made to give the children a change. If they had suitable friends or relatives to go to, a holiday with them was arranged. Other children were sent to Homes elsewhere. Often the Home took a holiday at the seaside or in camp. In some Homes, however, there seemed to be no arrangement for a yearly break.

Behaviour

260. As far as appearance and behaviour of the children in voluntary Homes were concerned we found the standard attained was with some exceptions a good one: We seldom noted untidy or dirty children or unpleasant behaviour. At meals the behaviour was good, but we found far too many Homes in which children were expected to eat their meals in silence. It seemed to us that there an opportunity for the teaching of good manners was lost. In one or two Homes the teaching of manners was of an old world variety which could only appear freakish in the modern world, such as bobbing a curtsey, saying "Yes, Ma'am, No Ma'am" to everyone and constantly getting up whenever visitors passed in and out. We thought that the Homes would be better employed in teaching the simple courtesies expected of well brought up young people of today.

Discipline

261. It is always difficult to assess methods of discipline used in Homes or any organisation where so much depends upon the individual capacity of members of staff and their relations with the children. On the whole such methods as we were able to see seemed negative and discouraging rather than positive in their value and there was much less often evidence of a code to which the children subscribed or even contributed than of rules thrust upon them from above. We found that, in a few Homes, those in authority considered that caning and deprivation of liberty and food were necessary to maintain order, though in our view such methods were used only at the greater cost of producing more problems than those with which they dealt. We saw (and indeed were likely to see) no evidence of unduly harsh or cruel discipline. Signs of repression were evident in some Homes. For

instance at a Home for little girls, we watched from a window the children come home from school chattering and full of life, only to become subdued and silent as they crossed the step of what should have been their home. At another home the little girls spoke and moved like little girls of a hundred years ago though they did not, for all that, appear to be unhappy. On the whole punishments were of the type of early bed, loss of outings, food, pocket money, " pictures " or sweets stopped. Punishments related to food and sweets were infrequent; it seemed to be generally recognised that in these days at least loss of food was scarcely legitimate. One Home which sometimes docked a pudding course, gave the child, without comment, a larger helping of the first course.

262. Corporal punishment with a cane was not often noted. In the two Homes where we were uneasy about its use we found that the superintendent of one had been fined at the local magistrates' Court for excessive punishment and that at the other caning was regularly used as punishment for bed wetting. In other Homes (always Homes for boys) in which we heard about caning this punishment was given from time to time for " anti-social behaviour ", wanton destructiveness, fighting and bullying.

263. In a few Homes only did we come upon traces of self-government and an appeal to the child's own social conscience. Those in authority relied on a system of punishments and rewards. The rewards took various forms. In one Home sweets and soap were given out (scented soap we found ranks as a special present and in some Homes tooth paste provided a good second, evidence perhaps of the deprivation of ordinary amenities of life), or medals, ribbons or ornaments such as brooches. Sometimes children who had been specially helpful were taken to the pictures or given some privilege in the house. The older boys and girls usually became increasingly responsible for the care of their younger companions but they were generally selected for such special duties and kept under close direction by the Superintendent. This perpetual dependence on others during the formative years of childhood may tend to produce young men and women lacking in initiative, responsibility and powers of leadership, a criticism which is often levelled at the old boys and girls of institutions. In the best Homes, however, much thought is devoted to the finding of special responsibilities which will develop the personality and self-respect of the individual child.

264. It was noticed in some Homes that visitors were a cause of undue excitement; the children crowded up, demanding attention and pressing forward with their toys, talking at the tops of their voices, in such a way as to suggest a serious lack of day-to-day affection of a motherly kind on the part of those in charge of them. This tendency seemed specially marked in the larger and more institutional Homes where it was difficult for the staff to deal with the children as individuals. Some of us saw with distress thirty toddlers at a Convent Home, who were being cared for by a woman of very low mentality, who had been a girl in the Home and was then 28 and incapable of working outside. These children rushed at us, pulled, petted, clung and felt our clothes and other possessions. They lived together as a group, with the woman in charge of them, without the stimulus of contact with the next age group of children or with older girls and with little contact with normal adults. We were not surprised to find in the same Home that the groups of older girls were tongue tied and inclined to giggle and even to become hysterical as a result of notice from visitors and that we were constantly told by the Sisters that their girls were abnormally dull and backward. In striking contrast to this Home was a small villa Home for 20 girls aged 5 to 14. When we visited some of them were getting ready to have tea in the garden (a pleasant large garden with plenty of grass). Some were playing with a see-saw and the old dog, others had toys, balls, books and other games. They all appeared happy and occupied and took no notice of visitors in whom they were not in the least interested. The young matron in charge of them told us that the children were constantly asked out for the day or taken shopping or to the sea by families in the neighbourhood. At this Home, too, although it was perfectly clean, we saw the refreshing sight of toys scattered all over the playroom steps.

Difficult Children

265. Only in the more progressively managed Homes was there an awareness of the need for special treatment of difficult children. As a general rule such children were considered " naughty " and were dealt with in the same way as the rest. In the worst Homes such problems as enuresis were treated by punishment or accepted with a fatalistic attitude. In a number of Homes the enuretic children slept in separate rooms or in a separate part of a dormitory or were otherwise marked out. In one Barrack Home these boys had a red light by their bed. Treatment often appeared to consist of a " talking to " and the washing out of sheets by the child concerned. One such child returned to the dormitory to make his bed while we were there and seemed quite overcome with the shame of being seen. In the better Homes there was an attitude of encouragement rather than blame and a system of rewards for an increasing number of nights without trouble. When we inquired at one Home whether the rewards caused jealousy the matron replied that the opposite was the case as all the children were most anxious to help.

266. Absconding from voluntary Homes is apparently very rare even where the Homes are not of high standard. We did come across one small Home from which twelve children decamped after a change of matron. As in Local Authority Homes the less noticeable symptoms of difficulty usually remained unrecognised. Pilfering (especially of food), destructiveness, secretiveness, fantasies, were all mentioned as examples of naughtiness and punished severely. These tendencies which are usually the results of wrong methods of upbringing were largely missing from the better Homes but if and when they did occur they were treated sensibly. It was rare to find that use was made of Child Guidance Clinics or other specialist advice.

Religious Care

267. In all Homes in which enquiry was made there was some form of daily prayer with the children. In two Homes the younger children were taught prayers by the matron and in one case they said their prayers with her. But only in two Homes was there much sign that the children's prayers were related to their daily life. One of these was a Home for little boys where the matron tried to make the prayers live for the children. For example, at the time the Home was seen, the order had lately been given by the Food Ministry to save bread. The children as a result were praying, obviously with genuine understanding as far as was possible at their age, for the starving people of Europe and China and anxiously asked if they could not send some of their own bread to a Sister whom they had known and who was, they knew, working in China. In Convent Homes it is usual for the children to attend Mass each day and they are taught short personal prayers of a formal kind. In Homes such as these and in others built up on a foundation of religion the personal character of those in charge of the children must exercise a strong influence on their minds and lives. The practice of attending Church or Chapel on Sunday morning and Sunday School in the afternoon is the normal one for most children in Homes. The rest of the day is often barren of interest and occupation.

268. Both Anglican and Roman Catholic Orders have been pioneers in the care and upbringing of destitute or deserted children. Their services in this field have been given with devotion, and the time and funds of a number of religious communities have been spent in the work. It may however easily follow from the manner of life in religious communities that convent Homes may be, to some extent, isolated from the general stream of life; and this may result in their being out of touch with more recent views on the education and training of young people, although in the more progressive Orders there is a genuine wish to keep abreast of the best modern views. The life of simplicity and austerity which the Sisters have willingly chosen for themselves is reflected in the training of the children for whom they are responsible. The manual labour, which is to them a welcome service to the Convent community is also considered of benefit to the young people in their charge, and is often expected even of young girls of working age, without payment, as they themselves would offer it. To some extent this explains methods of teaching and training which in other circumstances might be thought to show ignorance of the real needs of childhood. For example, the children who are brought up in Convent Homes are still largely housed in gaunt, barrack-like buildings with large bare playrooms and dormitories. Their contact with the world outside the home is often, like that of the Sisters, limited, and in the case of the older girls the up-bringing in the Convent shows signs of a deprivation of some of the ordinary enjoyments and interests of young people of their age. There are of course exceptions to this, but we were impressed in many of the Convents by the long hours of arduous work, sometimes with little training value, which left relatively little time for recreation and social life. As in the case of many other of the Homes we have described we noted that in many of the Convents there was a depressing failure to provide for older children social activities, interests and hobbies suitable for their age, although much better provision was often made for younger children up to 7 years of age. We have already commented under the various headings on conditions which we found in the Convents we visited. We have added this special comment because we feel that to some extent the less progressive form of care may be explained by the relative importance attached by those responsible to the religious training of children.

After Care and Choice of Careers

269. It seemed from our inquiries that in almost a third of the Homes the preparation for and arranging of careers was on the whole good. The range of employment taken up by the boys and girls from the best Homes was varied, including for boys such occupations as bakery, boot and shoe making, building trades, factory work, farming, gardening, carpentry and joinery, chemical work, engineering, confectionery, printing, book-binding and commerce, the Services, Police, architecture, pharmacy, dentistry, journalism, teaching, scientific research, and for girls dressmaking, laundry and factory work, nursing in hospitals, and nurseries, hairdressing shop work, domestic work, dentists' receptionists, clerical work and shorthand typing, teaching. (This list is taken from notes of actual jobs being held by old boys and girls.) One girl was seen who wanted to go on the land and at a Camp School the Headmaster urged the boys to take an interest in country things, particularly farming and stable work. On the other hand in an otherwise well managed Home we met a small boy who wanted to be a chef but who had not been allowed to give any help in the cooking. In one Home for girls the matron pointed out that an old girl of the Home who was secretary at a technical college, was, after paying 25s. a week for lodgings, earning less than another who had a post as parlourmaid and was given her keep. For this reason it appeared that girls were more willing to take up domestic work than they had been, especially as they could now count on good off duty time. At one excellent branch of one of the big national organisations boys who were studying for careers could continue to live in the Home while taking their courses outside. An arrangement of this kind is exceptional partly because most Homes are short of accommodation and partly because of the extra expense involved. It may also have an undesirable side as in a large isolated Home for boys where before the war the boys trained in various trades in the Home until they were 21. The needs of the Services now ensure that every boy leaves before he is 19 but it seemed to us that it would have been far better if the years between 17 and 21 could have been spent outside the Home learning a trade and mixing in a normal way with other young people of both sexes.

270. What we have said gives the bright side of the picture, for in the other Homes the arrangements both for providing work and for putting the young people in it were unsatisfactory in the extreme. The great majority of all the boys and girls are capable of meeting the requirements of the middle range of industry with help in gaining the necessary qualifications. It would seem to follow that the ordinary means of finding employment would be suitable. In spite of this in most Homes, good and bad, the bulk of the work in connection with employment appears to be done by the superintendent alone and even in many good homes far too little use is made of the Juvenile Employment Bureau. This meant that a large number of Homes for girls depended upon domestic and laundry work for the main occupations to which their girls went, and that an equal number of Homes for boys became one of the main local sources of unskilled labour: we calculated that in about a third of all Homes the output was entirely to domestic service and unskilled labour. On the whole the boys even in the poor Homes had more choice of occupation than the girls who even in Homes of otherwise good standard were often offered a very limited range of possibilities. The standard of employment was in fact much the same as we noted in Public Assistance Homes except in the case of one or two of the large organisations.

271. It has to be admitted that many Homes fail as badly in after-care as they do in arranging outside contacts for their children. In the normal home the child is sure of a constant interest in all he is doing: if difficulties occur " home " is behind him and ready to help him: if he does wrong and gets into trouble his parents are there to stand by him. Only exceptionally is this true for the institution child. We were told at one small Home for girls that if a girl got into trouble she was sent back to her real home, in that case almost certainly one from which she had been taken or sent away because it was undesirable. The placing, which was far too often arranged by local contact with the superintendent, was far too seldom followed up by any real interest in the young person pushed into the post, who was left to sink or swim as best he or she might. What may happen is best illustrated by the following comment—

> " We were troubled about arrangements for children who got into difficulties when placed out in service. One such girl placed out with a clergyman had stolen and was returned home to her father—a widower. Matron was firm that she could not return to the Home, but neither apparently was there any other Home of the same organisation that could take her. Matron had written to the Headquarters of the Society asking that the Welfare Officer should get into touch with her. Another girl had been sent to a Laundry Home. There seemed to be a suggestion here that their Society could not deal adequately with their girls who ' go wrong '."

A few of the large organisations had, we found, their Welfare Officers, but because of the way in which their old boys and girls were scattered over the country, the bulk of their work appeared to be conducted by correspondence. Those organisations which had branches in different parts of the country sometimes carry out after care through the superintendents of the branches where the young people live near enough to a Home. In many cases they are too far away to afford the necessary fares and so fall to be supervised by letter only. In the smaller Homes there is no means of keeping in touch with boys and girls who had left the Homes, unless they were employed in the neighbourhood.

HOSTELS FOR WORKING BOYS AND GIRLS AND PROBATION HOSTELS

272. Hostels for working lads and girls may be set up by Local Authorities for boys and girls from Public Assistance homes who need help when they first begin work, or by voluntary organisations for boys and girls from their own Homes, or for young people in the large cities who are starting work and need cheap and respectable lodgings and some companionship. A few voluntary organisations and local committees of interested persons have set up, as a piece of social work, special hostels in which young offenders aged 14 to 17 can live for a time as a condition of a Probation Order under closer supervision than would be possible in their own homes.

273. We visited two hostels run by local authorities and five managed by voluntary organisations or committees. We found that they varied very much in standard. This variation was, as far as we could judge, attributable rather to the type of Warden in charge than to any financial considerations. Some of the voluntary hostels which had been set up and maintained by the generosity of local people had a struggle to keep going, yet their standards were as good as those of local authority hostels which were wholly maintained from public funds. We saw in one county area an excellent small probation hostel and in the same area a poor local authority hostel with an unsuitable Warden in charge. In a large city an opposite state of things was found; there was an excellent local authority hostel, a home-like and cheerful place, while the probation hostel was cramped and depressing.

Finance

274. Although the boys and girls pay in to the hostel funds a proportion of their wages they are not always able to meet the whole cost of their maintenance and provide clothes and pocket money. All working hostels must therefore have a reserve of other funds to allow for residents earning small wages or taking apprenticeships or falling sick or out of work. This expenditure, which is not easy to calculate, falls very heavily on voluntary bodies and in the probation hostels a maintenance allowance on a sliding scale towards the keep of the young person is contributed from public funds. During most of the period covered by our visits the hostels received, from the probationer and the local authority together, a maximum payment of 30s. a week, the contribution from public funds being limited to not more than 20s. of that amount. Since 1st June, 1946, the maximum payment has been increased to 40s. a week, and the maximum contribution from public funds to 30s.

Care of Young People

275. Most of the hostels which we visited were situated in or near large towns where employment of different kinds was readily available. The nearness of their work makes a great deal of difference to the health and wellbeing of young people whose travelling time comes out of time which would otherwise be given to rest and recreation, and whose money is quickly absorbed in fares. The young people in most of the hostels we saw seemed reasonably happy, and in a few hostels, very happy. The food we saw was good and plentiful though sometimes roughly served. When a boy or girl could not return to a meal, sandwiches were given or money for a meal. In all hostels some assistance is given with clothes. Young people sent to probation hostels frequently arrive only with the clothes they are wearing which are often torn, dirty and unattractive. In these cases assistance from public funds up to £12 may be paid for each probationer. Many of the voluntary organisations and local authority hostels hold stocks of clothes from which these young people can be supplied with necessities. All need working suits, dresses and overalls and it is usual to have one or more better suits and dresses for recreation and for Sunday wear. At most hostels clothes are an important feature as it is at this age that the young people are beginning to take a pride in themselves and their appearance.

276. An honorary medical adviser who attended as required was attached to all the voluntary hostels we saw. We were told that many of these doctors take an active interest in the well-being of the young people.

Buildings and Furnishing

277. In the main the hostels were rather cramped for space when the need for hobbies and games is considered. Some hostels had tried to meet this need by building on huts or sheds in the grounds but this again restricted the space which could be given to pets or to free play. Difficulty had been experienced in some boys' hostels in providing sufficient sanitary blocks and these had in a few cases also been placed outside, causing a further restriction of the grounds. The hostels we saw were not as a rule either liberally or comfortably furnished and an opportunity seemed to be missed of teaching these young people the care of a house and of pleasant furniture and china and an appreciation of equipment. For example, we noted at one local authority hostel –" One pale incandescent light burned in the long dormitory, the windows were draped in flapping blackout which was frowsty and torn. The whole place was stuffy and unpleasant." Better conditions were seen at two probation hostels for girls. One for twelve girls provided a small room for each girl with attractive curtains and bedspreads, a dressing table and cupboard. The other provided for each pair of girls a dressing table and mirror. As we have so frequently remarked of other homes there was little or no provision for a quiet room in these hostels or for a really comfortable sitting room with easy chairs and cushions. The rooms were nearly always bare and comfortless with hard chairs and even, in one instance, forms. In only one hostel did we see personal knicknacks and photographs in the bedrooms. The exception was the small probation hostel mentioned in paragraph 273.

Leisure

278. The problem of leisure is always a difficult one in hostels where many different interests must be catered for. In all hostels boys and girls were free to join outside organisations and activities, to go to the pictures or to classes. In the case of probation hostels it is, however, necessary to ensure that the young people are really spending their time in sensible occupations and sometimes there is the difficulty that they are greeted with suspicion even by the youth organisations which they join. The boys from one probation hostel joined the local A.T.C. but gave up because of accusations which were made against them without supporting evidence of articles being stolen. In some hostels boys join Toc H and girls and boys join local clubs and fellowships. Some young people take evening classes in trade subjects. Most hostels have provision for a recreation room or hut of some kind and for indoor games such as ping-pong and billiards, a wireless and gramophone for dancing.

But as we have already mentioned there is little space for quiet occupations, for reading, the writing of letters and little opportunity for a young person on probation to think things over and take stock of his position.

Discipline

279. It must be remembered in considering methods of discipline that these boys and girls are contributing towards their keep and are entitled to be considered as responsible for themselves. On the whole the discipline in the hostels is light and of such a kind as to emphasise this feeling of responsibility. Fining, restriction on outings in free time and deprivation of privileges are usual methods although in some hostels a management committee of the young people themselves enforces a code of behaviour in the house and consideration for others. The probation officer continues to keep in touch with probationers during the period in the hostel and he stands behind the Warden and can be called in to advise or help in an emergency. Many of these boys and girls have special difficulties and need a great deal of help when they are first placed at the hostel. Many Wardens encourage better standards of conduct by talks on subjects of special difficulty both to individuals and groups.

Employment and After Care

280. We gathered from discussions with the Wardens of hostels for working boys that the finding of employment rested mainly with the Warden to whom local firms applied when they wanted employees. One Warden told us that most of his boys went into local shops—there was " a great call for butchers' assistants." It appeared that the Warden did not always consult the local Juvenile Employment Bureau even where both hostel and bureau were run by the Education Authority. We had some doubt whether these young people were given the same choice of work as others living in their own homes: the arrangements seemed haphazard, depending more on the Warden's contacts with employers than on competent inquiries. It was no doubt inevitable that there should be at any rate for a time a rapid changing of jobs. This did not appear to worry the Wardens as it was realised that many of the young people in probation hostels had been unable to stick at work or keep a job before their admission to the hostel.

281. The period of supervision under a probation officer normally continues after the period of residence is over and the boy or girl has returned home. Residence is usually for six to twelve months only (twelve months with three months remission for good behaviour was suggested by one or two Wardens) and is intended as a preparation for ordinary life at home. During the probationer's absence he is encouraged to keep in touch with his family by letters and visits while the local probation officer does what he can to improve conditions and prepare the family for his return. In other hostels (as in Public Assistance or voluntary homes) the young people may have lost sight of their families and will need, when they leave for lodgings or residential employment, a friendly hand for a considerable time. Some hostels encourage their ex-residents to come back for visits from time to time.

Segregation

282. Strong views were expressed to us on several occasions about the undesirability of segregating probationers in separate hostels. Several Wardens suggested that they should go to other hostels for working boys and girls so that only a few would be resident in any one place. At one hostel the words " Thieves Hostel " had been chalked on the gate and this, though an isolated incident, suggested that probationers might be at a disadvantage in probation hostels. While probation hostels are free to admit any young people in the same age group, the payment of grant and the laying down of certain conditions tends to keep out other cases. Against this must be set the difficulty of maintaining a standard of care, when payment is made only for isolated cases, and of providing specialist care for young people who may be both difficult and delinquent and considered unsuitable for placing in other hostels.

APPROVED SCHOOLS

283. We visited 52 approved schools in England and Wales of which 10 were provided by local authorities and 42 by voluntary organisations. We do not think it necessary to describe these two groups separately, as all alike were inaugurated and are managed in close consultation with the Home Office. Some of the schools we regarded as doing very good all round work for the children. This does not imply that there was nothing to criticise about them, but that we were satisfied that in these schools the staff had succeeded in creating an environment in which children could thrive, and that they were skilled and understanding in their work and able to co-operate in future developments of a progressive kind. In a minority of schools we thought radical changes were necessary if the welfare of the children was to be adequately secured.

Management

284. Each school has a local Committee of Management except in a few cases of local authority schools managed by a Sub-Committee of the Education Committee. The Committees of Management usually meet at the School at monthly intervals. We were informed at two schools that the members took a lively interest in the school and in the welfare of individual boys and girls. The staff of several voluntary schools were appreciative of the help given by the Committee in arousing local interest in the work of the school. The counsel of the Chairman in discussion of detailed needs was in some cases particularly appreciated, and we gained the impression that the Committee added to the confidence of the staff and to the status of the school in the community.

Admission

285. The method of admission in almost all schools is now through the Home Office direct, or through a classifying school. It was not possible from our visits to two classifying schools, a girls' school and a boys' school, to gauge the system adequately, but from the little we saw, and on general grounds, we felt that it should be thoroughly examined by experts before it is widely extended. At the girls' school we saw intelligence tests being given by someone who clearly did not understand their full implications. At the boys' school it was said to take as long as two months to observe and test each boy and to reach a reliable conclusion about him, although it would, in our view, have been possible to assess many of the boys in a few days. Both these visits were made by groups including members specially qualified to judge. It seemed to us that, when a boy or girl had been for some time in an approved school, the transfer became a break rather than a beginning of a training, and valuable time appeared to be lost to no good purpose. This view was reflected in the uneasiness of the schools at the receiving end, where the opinion was held that residence in the classifying school merely unsettled the boy or girl who must be discouraged from forming loyalties to a place of temporary stay, and that the proper place for classification was in the remand home. In some schools considerable trouble

had been caused by boys and girls too unstable or of too poor mentality to be dealt with by the particular schools to which they had been sent. One Headmaster complained that his school " appeared to be classified as a school for enuretics ". Our note on the boys' classifying school was as follows:

> " We did not see the system of classification at work because the boys were in camp. As we understood it, it appeared that every boy was retained for observation for an arbitrary period of two months. The Headmaster took the view that this length of time was required in every case. At the end of that time the boy was graded and sent to one of the Northern Schools which is fed from the classifying school."

Our evidence indicated that the intention of the scheme was to fit the boy to the right type of training, but that it has the effect in practice of changing the character of the schools, from mixed schools taking all boys within their age group, to schools specialising in a certain type of boy, e.g., the tough boy, the weak boy, the bright boy, the backward boy.

Organisation

286. Some variations of the " House " system seem to have been generally adopted in the schools though in few cases do the buildings lend themselves readily to this kind of organisation. " Houses " might be based upon dormitories or be made up simply of aggregations of children, but were seldom composed of anything resembling a household in which small groups had meals and day rooms in common. The boys' classifying school had small groups of boys in hutments each looked after by a married member of the staff and his wife, but the huts were used for sleeping only and the boys worked and ate and played together. One exception was a girls' school where the girls were grouped in " families " of twelve each with its own " house mother ". In most of the schools " houses " seemed to be regarded more as a useful basis for developing loyalties and friendly competition and for providing posts of leadership, than as an opportunity for the individual treatment of children. We came across no instance of genuine self-government. Prefects of houses were invariably appointed by the Head.

Buildings

287. Most of the schools are handicapped to some extent by their buildings which have seldom been constructed for their present day purpose. They are often old industrial schools or reformatories, Local Authority Institutions, wartime groups of Government huts, adapted private houses, or country mansions of varying suitability. Many schools seemed to suffer from the fact that they were built without any purposeful design in line with modern ideas of upbringing and education. Some of the country houses, however, had the advantage of avoiding any suggestion of an institutional design foreign to the local community. The situation of the schools is of some interest since it affects in important ways the relation of the school to the local community. The fact that it has been necessary to rely for new schools upon buildings already available has meant that in some cases the site is an inconvenient one from the standpoint of the staff and the availability of local resources for teaching and recreation. In a few cases we thought the schools too isolated to be helpful either to staff or children, though it must be remembered that we saw them at a time when communication was of necessity infrequent. One of these was a large boys' school run by a religious community where we feared that the advantages of contact with the outside world were scarcely appreciated by the Brothers.

288. The most frequent defects were unsuitable or cramped indoor accommodation for leisure-time activities and large barrack-like dormitories. There seemed to have been more insistence on the physical well-being of the children than on individual development. In very few schools was there a quiet room for rest or reading. In one junior girls' school all the girls were obliged to play, read or write letters in one moderate sized room which possessed no easy chairs or comfortable furniture. Some of the dormitories in boys' schools seemed to us to contain too many beds, though from the health standards the dormitories were sufficiently large and well ventilated. The kitchens, dining rooms and sanitary arrangements which had often been adapted and modernised were nearly always satisfactory. There was nearly always a sick room for emergencies.

289. The following extracts from members' reports give illustrations of the various types of buildings.

Buildings of the old Reformatory, Industrial School or Poor Law type

Senior Boys School. Accommodation 140. *Present* 133.

> " This building was taken over from the Public Assistance authorities in 1936. It is situated on the fringe of an industrial area, but is in a fine position, overlooking a wide stretch of open country. There are extensive grounds for playing fields and a walled fruit and vegetable garden. The building, however, is a forbidding one, in large barrack-like blocks with a high surrounding wall and an institution type of entry archway. Workshops have been added to the original building. The living quarters are in one large block divided into two identical halves. There did not appear to be any living room other than the dining room, which is also used for recreation, and has a gallery and a cinema screen. There are tables for ten and bright cloths. Each of the two dormitories houses seventy boys in four long rows of beds. They are light and airy, but completely lacking in comfort or attractiveness. There is a sick room, but apparently no other room for rest or quiet. The long concrete-floored and tiled-wall corridors are dull and cold looking. Some effort has been made to brighten the rooms by paint and distemper. The place looked clean and polished."

Converted Private Houses

In many cases private houses, in spite of some inevitable disadvantages had been successfully converted and provided ample space in attractive buildings. Some were however inconvenient and seemed to have been an unfortunate choice. It should be remembered that the main pressure to open new schools occurred in war time with the obvious consequences of delayed alterations and redecoration. The following are examples of both kinds:

Junior School for Boys. Accommodation for 136. *Present* 120.

> " This large, ornate Victorian building is situated in a park-like estate in remote country approached by narrow lanes. It is high up, and the much neglected garden is terraced, and stretches down to a lake. It was formerly used as a private mental hospital but there are no suggestions of restraint in the design of the building. The accommodation is adequate as regards space, but it did not appear to us present to be suitable for

its purpose. The dormitories vary in size from eight or ten beds to twenty-seven. There are adequate day rooms for ordinary purposes, but at present the only space for active indoor games is the dark entrance hall with shabby ornate decoration. The large room used for meals is rather crowded with small tables. There is a general lack of anything like homely comfort."

Senior School for Boys. Accommodation for 75. Present about 72.

"A large attractive country house, once a preparatory school, set in beautiful grounds with plenty of playing field space attached. To provide sufficient accommodation for the boys the house has been considerably extended and huts have been built or obtained for woodwork and metal work. There is also an attractive chapel. The bedrooms serve as dormitories. The whole place gave an appearance of homeliness in spite of the large number of boys catered for in it and made a very pleasant impression. There is a heated swimming bath."

Intermediate School for Boys. Accommodation 120. Present 120.

"A Jacobean country house set in 36 acres of garden and playing fields. Some of the staff live in cottages on the estate. Living and recreation rooms are excellent but a quiet room is badly needed and is to be provided. There is a beatiful dining hall with tables for six. The whole place was cheerful and attractive, the institutional atmosphere being tempered by architectural beauty and modernisation."

Staff

290. It is only possible to give a general picture of the staff in approved schools because we were only able to see a few members of staff in each school and had no opportunity to get to know them. We were, however, struck by the fact that the difficulty of shortage of staff appeared to be nothing like so serious in these schools as in local authority or voluntary Homes, possibly because they were largely staffed by qualified teachers. The quality and attitude of the staff must depend in these rather self-contained communities very largely upon the personality of the Head. On the whole we were very favourably impressed by the Headmasters and the Headmistresses of the Schools. In most cases they seemed admirably suited to their work and in only a few cases did they fall short of the standard which we would think desirable.

291. We much regretted the failure to appoint more women as matrons and assistant matrons on the staff of some of the boys' schools. In one senior boys' school the buildings looked dirty and the boys grubby and unkempt in the absence of the matron for a long period of sick leave. No substitute had been provided nor was there any other responsible woman member of the staff.

Physical Care

292. We thought the diet at most of the schools was very good. The guidance given by the Home Office on the subject has undoubtedly helped in maintaining a high standard. In only three schools did we feel any doubt whether the food was sufficiently "filling" for growing boys. Many schools grow their own vegetables and fruit and the children are allowed the provisions thus obtained as part of their diet. We were satisfied that full rations and milk were taken up. In one school we noticed that water was not served either during or before or after the meal. The food was for

the most part attractively served at small or medium sized tables with attractive cloths and often flowers. In a few cases benches were provided instead of chairs. We did not see any instances of enamel plates and mugs such as we found in some children's Homes. The children themselves usually had some responsibility for helping with service and clearing. In one senior boys' school where there are two dining rooms, one of which is presided over by one of the boys, we were told that the standard of manners and discipline was better than at the other in which a master presided.

Medical Care

293. The provision for medical care seemed excellent in almost every case. The children are medically examined when they come in and before they leave as a matter of routine. In all the schools we visited there was a regular surgery or arrangements for dealing with minor ailments or accidents, and either a trained nurse or a member of staff with some training or experience of nursing. We found some evidence that the dental care was not as regular as seemed necessary. At one senior boys' school the boys' teeth were noticeably uncared for and we were told that the dentist was able to come only occasionally. At a girls' school we were told of the delay in getting dental appointments. We saw several girls whose teeth needed attention. The delay seemed in these cases to be more prolonged than that falling to the ordinary population even in wartime.

Clothing

294. We made a special note of clothing, which was usually satisfactory in standard and sometimes in the girls' schools very good. It is of course easier to bring variety and individuality into girls' clothing. The fact that many of the boys were doing rough work meant that their clothes had to be of a hard wearing kind which naturally looked more shabby. Although it had been possible to avoid uniform which was in any way conspicuous, standard clothing was in fact used in most schools even for work. We found individual clothing throughout (even in underwear) at one girls' school.

Occupation and Education

295. The approved schools differ from the other establishments we have been describing in that the whole regime is intended to be remedial. It sets out to provide for the child who has in some way come to grief, a training which will enable him to take a normal place in society with other children of his age. It is natural therefore to find the daily programme closely planned with occupations designed to help the child to develop and fit into community life. It is an established fact that as compared with the country as a whole the approved school population contains an abnormally high proportion of boys and girls who are either of subnormal intelligence or seriously backward in school work for other reasons; the schools we visited were probably representative in this respect. We found these facts reflected in the school arrangements, which in general provided an education based so far as possible on a practical approach, and a programme of active and interesting employment outside school hours. As a rule education was within the school, though in a few instances, such as a junior girls' village school, the children went out to school. Where education was inside, the junior schools provided full-time teaching for a considerable proportion of their numbers, and the senior schools gave intensive schoolroom education for part of the time on the lines of a continuation school. In general we thought the standard of educational method did not fall below the standard outside and in one or two respects, such as the size of classes, the advantage was with the approved

schools. In all cases we saw the teachers had the recognised qualifications. In many of the senior schools the aim had been to combine vocational with general education and effort had been made to teach the boys history, geography, mathematics, etc., through their crafts. At a senior boys' school the following note was made:

"We were impressed by the variety of good trades available and by the way in which they are related to the boys' general education and put to use in and about the farm buildings. It was interesting to see the way in which the paint shop boys had decorated with mural designs the quarters of the women staff and their own dormitories."

296. Vocational training is a special feature in most of these schools and as far as we could judge the training in most instances reached a high standard. It seemed to us that the gardener, farmer or cabinet maker who was primarily a skilled man at his job was of special value to the children as an instructor, and those we saw seemed to be very successful in holding their interest. The following report illustrates the kind of vocational training given in the boys' schools.

Senior Boys' School. Present 140 Boys.

"The carpentry and cabinet making seemed to be of excellent standard. Furniture is made for other approved schools, but also smaller articles, such as wooden bowls. There is no undue shortage of materials. The metal shop appeared up-to-date, with electric machinery. There is a special instructor for interior decoration. Building and gardening is undertaken under skilled workmen."

Short Term Senior Boys' School. Present 90.

"The boys are divided up into four sections according to mental ability after the Vocational Guidance officer's test. Each class consists of about twenty-five. Many boys are backward in ordinary school subjects, and there is concentration on these on the morning of the school day, which is once a week. In the afternoons the project method has been followed, centring on the farm work in which many of the boys are being trained. We were shown project books which the boys were said to have worked out in groups. These contained studies, such as graphs of milk output for cows during the season, extracts from farming journals about various breeds of cows, their proper feeding, etc. The school room was posted with photographs of prize stock. The Schoolmaster was evidently aware of the value for the boys of working on a subject in which they could use their practical experience and their initiative. These boys also have gramophone concerts, including some classical music. At the time of our visit there were particulars of the life of Beethoven written up on the blackboard."

Many other examples could be given but they would nearly all be taken from the boys' schools. From the samples of schools which we visited, it seemed that a much wider variety of vocational training is available to boys than to girls. Apart from a few schools with specialised training in dressmaking and tailoring and some with training in gardening the girls' training which we saw was largely of a domestic character. In one girls' school two specially trained domestic science teachers were employed and girls suitable for this type of training were selected for this school. In another, girls were placed in a Hostel attached to the school as soon as they could be trusted and were sent out to factory work or higher education, a method of treatment which seemed to us excellent. But in most the vocational training seemed incidental to the work of the household rather than given with a plan for the future though we had no reason to suppose that it was not effective. In one school great resentment was expressed by the Headmistress on behalf of the girls, who had expected a vocational training which they did not receive. The occupations given to the children had value, as for example in a Junior Boys' School:

Junior Boys' School. Accommodation 80.

"The boys help with waiting and washing up. Small boys in white aprons were seen spreading bread and butter, helping in the kitchen and taking in staff meals. They appeared to be thoroughly enjoying themselves."

Both boys and girls helped with housework in all the schools we saw though not probably to any greater extent than the girls would have been expected to help at home. All the boys and girls seemed to be required to make their beds or fold their bedclothes on rising, an arrangement which allowed little or no time for the airing of bedclothes. The hours of sleep were certainly adequate. Senior boys rise from 6 to 6.15, juniors from 6.45 or 7. Bedtime is usually 8 to 8.30 p.m.

Upbringing

297. The provision for group activities in leisure time was nearly always good and very often excellent. The provision for the development of individual interests was much less satisfactory. It was unusual to find that the staff were interested in the particular bent of individual boys and girls. It is possible that this is due to a deliberate policy of social education based upon the opinion that delinquent or maladjusted boys and girls are particularly in need of the development of group loyalties. It may also be due to the fact that many of the children are dull in intelligence and perhaps lacking in initiative and independence. Many of the schools had good libraries of their own and most could have made use of the neighbouring public library. In very few cases however was this done.

298. The situation of some of the schools does not make for easy communication with neighbours and it could hardly be said of any schools we saw that the school life was closely bound up with that of the local community. Nevertheless the boys and girls in most of the schools do not lead isolated lives in self contained communities. Considerable freedom to come and go is found in many of the schools and this, in view of the behaviour of many boy and girls before admission, shows considerable enterprise and courage on the part of those responsible. There is a healthy absence of high walls except in a few old buildings, and locked doors are very rare.

299. We gained the impression that few of the children are kept in regular touch with their families by visits from relations. This is partly due to the system of classification by which children are sent to the schools at which they can get suitable education and training rather than to the schools in their own areas. We found, however, rather different attitudes on the part of the staff towards the visits of relatives so that it would appear that if a special point were made of getting into touch with relatives and welcoming them to the school the difficulties of distance might be overcome. This view was strengthened by the fact that in one school in a rather remote country district visits from relatives seemed to be more frequent than in other more easily accessible schools.

300. Holiday plans have of necessity been curtailed during the war but have now been resumed. Weekend leave was fairly general after a boy or girl had settled in the school and many went home for the holidays. This arrangement involved home inquiries in each case. In one school it was found that if a boy had no home he could go home with a friend if he could save the money or the friend's parents could afford to send it. In one of the schools permission to spend the holiday at home depends upon an elaborate mark system for good conduct. A pre-war custom in many of the boys schools had been to arrange a summer camp. A negative attitude to holidays was apparent in one girls' school where, when asked about sending the girls home, the Headmistress replied, " Impossible." The general practice is for the Head to see all incoming and outgoing letters.

301. There is a regular scale of pocket money approved by the Home Office but from what we were told the amount seemed to vary considerably from 1d. the lowest amount quoted for the youngest children, to 1s. 6d. A usual range was 3d. to 1s. To this there often appeared to be added spending money for expeditions, and relatives also sent money from time to time which the children were allowed to keep. Two girls' schools gave extra money for good behaviour and a senior boys' school for extra work done. Two boys schools reported keen savings groups. We found no school in which any special point was made of giving the children the opportunity of learning about the cost of necessities. None of them appeared to take a share in the purchase of their own clothes or of food.

302. The standard of personal appearance seemed on the whole sensible and good. For the most part the boys and girls looked reasonably neat and clean. In some cases we thought that there was too much concentration upon spit and polish and in one instance we felt that the precise symmetry in the arrangement of bed clothes and possessions in the dormitories indicated a somewhat military attitude. The standard in the girls schools was particularly good. The girls usually looked attractive and though there were strict rules against make-up such as are characteristic of any girls' boarding school there seemed to be no injunction against individual hair styles. There was very little provision for keeping personal possessions. It is true that in many of the schools individual lockers are provided, but the large dormitories and the bare playrooms seemed not to provide opportunities for collections of odd-ments, pictures and photographs such as children love to hoard. There seemed to be an unwritten law that there must be no unnecessary objects in bedrooms or dormitories and the exceptions to this were very few, and usually in girls' or junior schools.

Discipline

303. We did not find the discipline of approved schools much more severe than that of children's Homes, notwithstanding the fact that a large pro-portion of the children were there on account of delinquency. One example of excessive direction may be quoted:

School for Junior Boys. Accommodation 128. *Present* 120.

> " The mealtime behaviour of these boys was one of the most depressing sights we have seen in any school. The boys were lined up and marched in and out. Signals were given by the member of the staff in charge to ' sit down ', ' pour tea ', ' stop pouring tea ', ' begin to eat '. There was the same sort of excessive regimentation in force as the boys were preparing for physical training. The boys looked strained and unhappy."

We should assess the punishment given in most of the schools as harmless but of doubtful educational value. In a very few the punishment seemed well chosen and wise and in a very few harsh and excessive. The most

generally accepted method of discipline is based upon a system of marks for good or bad conduct as a result of which privileges are granted or withdrawn. On one school our visitors noted—

> " A curious financial system of rewards and punishments was in operation, by which sinners were fined, so constituting a fund from which rewards were paid to saints."

A reasonable system is described in the following report—

School for Senior Girls. Present 42.

> " Social education is based upon a merit system signified by coloured badges. If a newcomer does well she becomes an ' Intermediate ' in three months and a ' Senior ' in nine months, with special privileges, such as going out without members of staff to shop or to the cinema."

The system of marks seemed reduced to an absurdity when items of conduct of very different value gained the same credit or discredit. In one school for example we found that " very highly polished boots " was listed amongst the virtues.

304. It seemed to us that the use of corporal punishment was in some cases excessive. In one school the punishment book showed twelve entries a quarter: in another 34 in twelve months. The largest number of strokes we heard of was eight. Corporal punishment is seldom given to girls though permitted by the Rules. It seemed that, in some instances the staff had been defeated by the difficult behaviour of some adolescent girls and this led to some curious systems of punishment besides the more normal and usual ones of deprivations of privileges and early bed. For instance—

> " At one time the girls were said to have been locked in their rooms for twenty-four hours and to have had restricted diet. This has been dis-continued. Now the practice is to cut short the hair of the girl who absconds. If she absconds a second time, she is given an Eton crop, and if for the third time her head is shaved and she is dressed in a shapeless twill smock. I had a talk with a girl who had absconded three times and had been treated in this way. She was evidently disturbed about it, but did not seem bitter, and offered no complaints about undue punishment. Indeed she compared her treatment at this school with the much more strict handling she said she had had in a Remand Home, where she said that she had been locked in her room, had slept in a wooden bed without a mattress and been fed on bread and water after absconding from a hospital at which she had been receiving treatment. This girl certainly looked a very sorry sight, with front teeth missing (from recent extractions) a sack-like garment, and closely cropped hair."

It is interesting to note that the Home Office Inspector had expressed dis-approval of this form of punishment when she visited shortly after we had been at the school. Other penalties were loss of pocket money or privileges (junior girls) dancing stopped (senior girls) smoking and outings stopped (senior boys).

305. The methods of dealing with problems of behaviour of a really trouble-some kind varied a good deal. One major problem in many schools was absconding and this seemed to be true of schools of varying standard. The quality of the staff may have an effect or the presence of a particularly difficult child, but the main explanation is no doubt that the children are there under an order of the Court and against their will.

306. We had evidence from some schools that disturbances had sometimes been due to the admission of boys and girls of a seriously unstable type. For example in a junior girls' school of high standard with a population of

fifty girls six had been admitted to the local mental hospital in the past three months and six had been certified as defective. The delay in removing the defective girls had been due to shortage of accommodation in Institutions for Mental Defectives. In another Girls School (42 Juniors) eight girls had been certified as mentally defective in three years and two had been certified as suffering from mental disorder. Another problem often mentioned to us was that of enuresis and the information which we obtained may only give a partial picture. We did however form the opinion that some of the schools were not sufficiently alive to the need for medical and psychological advice about problems of this kind. The extent of the problem in one Junior Boys School where accurate records had been kept, seemed very excessive even in comparison with children in other types of institutions where the incidence is known to be high.

Religious Care

307. With a few exceptions the schools arranged for daily morning prayers as a community: many had their own chapels on the premises and we were told that great pride was taken in them and that they were shown off to parents and visitors. The schools have their own visiting chaplains. There is evidence of close co-operation with local Churches. We thought it might have been possible to use Sunday to greater advantage for the purpose of providing stimulus and enjoyment.

General Impression of the Children

308. In the majority of the schools we were well impressed by the appearance and behaviour of the children and by such relations between staff and children as we could observe. We have noted a few cases in which the attitude of the children and the staff caused us concern but we wish to emphasise that these cases were rare in our experience and did not detract from our opinion that the policy of the Home Office as carried out in the schools is enlightened and progressive. Our notes give ample evidence of schools in which boys and girls seemed to be thriving mentally and physically. The following are examples of what we saw.

Senior Boys' School.

"There was no awkwardness in the presence of staff or visitors. There was less noise, talking and laughing (for example at tea), than one would expect in an ordinary boarding school for boys of this age, but there certainly did not seem to be undue stiffness or restraint."

Senior Girls' School.

"There was evidently no 'silent rule' at work. The girls were chatting and singing cheerfully as they went about their jobs, and did not seem unduly concentrated or bored. They seemed to think it natural to come and chat with visitors at the front door, and were left without supervision whilst we were talking with the member of staff on duty."

Junior Girls' School.

"They all looked happy and well occupied. They seemed physically fit and well-developed, and they also looked more lively and alert than might be expected of children of dull intelligence."

Junior Boys' School.

"They looked physically well and alert. The majority appeared reasonably self-possessed. There was no standing on the entry of visitors, and no undue attention paid to them. They talked naturally when spoken to and seemed to respond to a joke or mild teasing from the Headmaster."

Employment and After Care

309. During the war a scheme has been set up which is, we understand, at present under review, for the appointment of welfare (after-care) officers to some schools, who make themselves responsible for the after-care of boys from a group of schools. The most usual plan in the boys' schools seemed to be to share the choice of employment and after-care between the school staff or the welfare officer and one of the local agents, the local authority, or the probation officer. The basis upon which the responsibility is divided appears to be whether the boys turn out to be suitable for employment in the area in an occupation for which the school is undertaking training—notably farming. In such cases there seems an obvious advantage in the personal contact which the school is able to maintain with local people, and in some areas there was evidently a long-standing tradition of employing boys from the school. It seemed to us from what we were told, that the boys entered a fairly wide range of employment, and that in some of the schools considerable trouble was taken to fit the boy to the career for which he was suited, though we did not get enough information to show how far his technical education led to appropriate skilled employment. In one senior boys' school the local authority vocational guidance officer carried out tests on a basis of which boys from this area are assigned to the training for which they appear to be fitted. Two months before the boy's release, reports on his progress are sent to the after-care department of the local authority and employment is sought for him. Their supervision is then carried out by the approved schools after-care sub-committee of the local authority. This plan sounds a satisfactory one, but a disappointing feature was that the information so carefully obtained was not used. Social workers were very critical indeed of the way in which it worked out in practice. They said that the actual visits were carried out by volunteers and that they acted not upon the reports which came back from the approved school but upon an index card which contained no information except the name and address of the boy and the approved school from which he had been discharged.

310. One school showed a list of employments which included farming, hotel domestic service, carpentry, mechanics, garage hands, gardeners. School magazines, giving news of old boys, show a variety of careers, including of course a large number of boys in the Forces. A list taken from one such magazine refers to boys' employment in drapery, farming, brewery, fish-curing, engineering, garage work, sheet metal work, building, sawyers mate, collier, shoe factory, ship-building, poultry farming, baking, dairy work, cobbling and welding.

311. Owing to the fact that welfare officers had not been appointed for the girls' schools, the responsibility for after-care rests necessarily with the staff and with local probation officers. In the case of voluntary schools further assistance may be given by the headquarters staff of the organisation. Considerable trouble was evidently taken by the staff of some of the schools. We gained the impression that this work added a serious burden to those who already had their hands full with the responsibility of caring for the girls at the school.

312. In some schools continued contact with boys who have left is a matter of special interest and pride. In one of the schools we were told that there are almost always some old boys back at week-ends, and that they often bring their wives or fiancées.

REMAND HOMES

313. We visited 55 remand homes in England and Wales. As we have already pointed out in connection with other homes, the amount of information which can be obtained from a single visit is limited; a single visit to

remand home is peculiarly unsatisfactory because of the rapidly changing nature of the population and the impossibility of assessing on any one day the general standard of the home. We were, however, able to see some samples of problems which are known to be of common occurrence in remand homes and to discuss with the staff their ideas about some of these problems. Remand homes were under great strain during the war. They are intended to function as places of no more than temporary lodgment but the heavy increase in the number of offenders and the difficulties in obtaining buildings and staff for approved schools, mental deficiency institutions, special schools under the Education Act and foster parents entailed long periods of waiting in remand homes. Our visits were paid over a period of fifteen months during which the situation was improving, largely on account of some lessening of the difficulties in providing accommodation and partly of some lessening of the demand for accommodation. We understand that the general position is continuing to improve. As, however, it will be many months at least before conditions become normal we think it may be useful to place on record our notes of the conditions as we found them. Remand homes are of three kinds:—those managed directly by the local authorities, those managed by private persons (e.g., retired police officers, probation officers, etc.) and subsidised by the local authority, and homes managed by voluntary organisations which serve as remand homes and to which the local authority pays a capitation fee or makes some other contribution for remand cases. Some of the Homes described in paragraphs 225-271 were taking remand cases under this arrangement.

Administration

314. Remand homes managed by local authorities are usually administered by a sub-committee of the Education Committee; in a few cases there is a special committee of management. Several superintendents of homes which we visited commented upon the lack of interest taken by the sub-committees and one said that neither the members of the Committee nor visitors appointed by them under the Statutory Rules nor any of the Justices had ever visited the Home. Voluntary homes used as remand homes are often those maintained by committees of Moral Welfare Associations or similar bodies as shelters for girls and women or in some cases for boys who need some form of temporary lodging and assistance. Except for the capitation fee paid by the local authority for remand cases these Homes are maintained entirely from charitable funds, and are often hard put to it to make both ends meet. They are managed by local committees of the Association and the local authority has little or no say in the arrangements. The fluctuation in numbers and the irregular periods of stay prevent the local authority from insisting on any special standard and in any case to do so would in many cases be beyond the resources of the Association or would mean that this standard could be maintained only at the expense of the other work of the Association. The capitation fees at the homes which we visited varied from 5s. to 10s. a day.

Homes Run by Voluntary Associations

315. The use of Homes managed by voluntary organisations has been necessary in the past because of the small number of girls who have been remanded compared with boys and the way in which they have been spread out over the areas. Only the largest remand homes have been able to take both boys and girls and among those we saw only one receiving both sexes. To maintain a remand home for girls only would either involve many local authorities in a heavy expense or would involve long journeys if the Homes were to be large enough to justify the employment of qualified staff. The arrangement had consequently come into being, of which we saw several examples, by which the one or two remanded girls were received at the local voluntary shelter as their cases occurred. We found many of the problems with which remand homes are faced sharply accentuated in the voluntary homes which were handicapped by shortage of funds, in the provision of adequate staff, the size of premises and grounds, the occupations and education available. In spite of these handicaps many such Homes did excellent work with the remand girls but some which we saw were able to provide little if anything in the way of a planned régime.

Length of Stay

316. The period of stay in remand homes varies from a week or two for further enquiries including a medical report, to a period of months while arrangements for placement are made. Far the larger number of the children we saw were awaiting placement and it was plain from our discussions with the staff that the long periods spent by some children in remand homes had caused considerable anxiety. The children who remained for long periods fell into three groups as follows:

(1) *Awaiting vacancies in Approved Schools.*

A number of homes complained of long periods of waiting for vacancies in Approved Schools. In one voluntary girls' Home visited in June, 1945, accommodating ten, six girls had had periods of waiting as follows:—One: 5 months; two: 6 months; two: 7 months; one: 8 months. In one local authority boys' Home we were told that many boys had been held up for six months or more. In a voluntary Home thirteen out of a population of thirty girls had been awaiting transfer to an Approved School.

(2) *Awaiting vacancies in Mental Deficiency Institutions or Residential Special Schools.*

Several Homes complained of this problem. In one boys' Home out of a total population of seventeen, two were waiting for vacancies in Approved Schools and fourteen for vacancies in Residential Special Schools.

(3) *Awaiting Boarding Out.*

In this category also children seemed to have waited a considerable time for placement. We found one girl in a voluntary Home who had been waiting for eight months. These were children committed to the local authority as a " fit person " and retained for the time being in the remand home with the consent of the Home Secretary. It will be apparent that in any home the difficulty of providing a satisfactory life for two or more of these categories at the same time, and at the same time as the children who are remanded only for a week or two must be very great.

Physical Care

317. In a number of homes we were impressed by the appearance of the children, by the varied and plentiful diet and by the sensible type of clothes provided. In the local authority homes the premises were usually adequate and sometimes very good, with plenty of ground round the home for occupations and games and the value of this was pointed out by one Superintendent who asked for more ground. The provision was usually less good in the voluntary homes for reasons which have already been pointed out. In one or two homes the sanitary arrangements were deficient. In one local authority home for boys we noted " seriously unsatisfactory lavatories and baths. The provision was insufficient in view of the fact that very dirty boys were admitted, sometimes in the middle of the night."

318. Problems of medical care were fairly common in the girls' homes and in one or two we found some cause for anxiety. In the smaller voluntary homes there was seldom proper provision for the separation and medical care of girls who are or may be suffering from venereal disease; one such Home was badly overcrowded and as it sometimes received verminous girls as well as girls who may have been infected, it seemed that there might be real medical risks in remanding girls to it. For example:

" The building, flush with the main road leading into the town, and with only a very small back yard for recreation, is antiquated and inconvenient, some of its appointments being most primitive. There is, for example, only one bath, covered in, in the scullery. The drying and ironing room is very small, immediately under the roof and badly ventilated. There is no playroom, and we were told that a basement which had been used as an air-raid shelter, and is badly lit and ventilated was being considered for conversion, though it seemed to us quite unsuitable. The small bedrooms were quite pleasingly arranged. The accommodation seemed particularly unsatisfactory, since girls were held here pending the results of examination for venereal disease and during treatment, and the girls of school age were not going out to school."

Education and Occupation

319. It was not the usual practice to send the school age children to local schools during their period in the local authority Homes. Where education was given within the Home, a far heavier burden fell upon the staff in any time of shortage and education was inevitably the first thing to be neglected. Some local authorities met the difficulty of education within the Home by providing a visiting teacher but if for any reason the teacher gave up, the responsibility for maintaining some form of education fell back on to the staff of the Home. One Home for boys which had depended on a visiting teacher had had no real education since the teacher left seven months before our visit; in another no provision at all had been made for education, and in one or two where teaching was given there was no qualified teacher on the staff. In these Homes and in others in which education was interrupted or irregular because of staff difficulties, backward children held for long periods must have been at a serious disadvantage since they could ill afford to be deprived of normal educational opportunity.

320. In some voluntary Homes the children were sent out to school. In a few Homes we came across children whose education we thought was insufficiently provided for and in one Home where school age children had been held for many months at a time no provision had been made for education. The Matron had attempted to give them a little work from an " object lesson book ". But she was obviously not able to spare the time for regular lessons. She had herself been troubled about the lack of provision for education.

321. The difficulty of providing full and varied occupation for boys and girls over school age appeared to be even greater than that of providing class room education. In most of the Homes domestic work occupied a considerable amount of the time and in a few it seemed to be almost the only occupation. For those boys and girls who stayed for a long period the life must have become increasingly monotonous and lacking in purpose and educational value. At one local authority remand home for girls we found the only inmate, a girl of fifteen, sitting in the kitchen bored and moody watching the woman in charge of her at her domestic work. In a voluntary home the girls did all the less interesting domestic work and had occasional classes from the

Superintendent when she had time to take them. After two months they must have been very bored: most of them had been staying for nine months at that date. At this Home full rations were not taken up. In contrast to these Homes were others in which the day was filled with interesting and educational occupations and care had been taken to introduce varied activities by enlisting the aid of visiting teachers and social workers.

Local authority Home for Girls. Accommodation for twelve. Present nine.

" Classes are arranged on several evenings of the week—e.g. " Hygiene " (starting from the subject of beauty culture and the proper care of skin and feet), needlework, and " keep-fit " classes. A group of girls seen in the evening were playing with the gramophone, knitting wool rugs, embroidering, writing letters and chatting together. The girls go out on long walks and picnics with the staff, and sometimes to the pictures. Housework is certainly not excessive here ".

Voluntary Home for Girls. Accommodation eleven. Present eleven, of whom nine were on remand.

" At this Home there was an excellent time table of educational and recreational pursuits. The girls were kept interested and occupied with classes in the evening, domestic work, walks and games, music, dancing and gardening. A striking feature was the large share taken in neighbourhood activities. The girls not only went out to meals and meetings in the district, but invited A.T.S. girls and others to the Home. On Victory day they had gone to Church at their own request, had a fancy dress dance and in the evening a bonfire. There was a pleasant garden for games and the girls went to the pictures once a week."

It must be remembered that the mixture of ages and types found in the average remand home precludes, except in the larger Homes, adequate skilled instruction. The best that can be done is often so limited, because of the poor intelligence of most of the children, that the better endowed are left unprovided for.

Discipline

322. The problem of the mixture of children also affects discipline. Wherever we went a great deal was said about classification. It appeared to be generally felt that the usual arrangement by which a remand home received boys of all ages and girls of all ages from eight to seventeen was wrong and that much greater provision should be made for the segregation of certain moral types than was usually done as well as for those children who were infectious medically. We were not able to form an opinion about the necessity for segregation especially in terms of age but we thought that disciplinary problems were bound to occur where children of all ages were kept together for considerable periods. We heard of two instances of what we regarded as harsh discipline. It must, however, be remembered that in single visits of this kind it is only possible to judge of the methods used from what we were told by members of the staff, or from what we inferred from their attitudes and apparent relationships with the children. The most usual methods of discipline appeared to be sending the children to bed, and depriving them of outings, pocket money and other privileges. In some homes corporal punishment is used. Particulars of such punishment are entered in books inspected by the Home Office. Quarterly returns are made to the department.

Difficult Children

323. As far as we could judge the treatment of difficult children was in most cases sensible and kindly. The understaffing of most of the Homes accentuated this problem and several members of staff expressed concern about the responsibility which they were expected to undertake with little or no assistance. Absconding had occurred in several homes, but in others, where considerable freedom was given, less trouble had arisen than might have been expected. In some of the homes, particularly those catering for girls, the activities of the girls outside the home were very limited, partly because of apprehension about absconding. In one or two instances we thought that the girls did not get enough fresh air and exercise during the prolonged periods of residence which have already been described. The majority of the members of the staff to whom we talked had gained whatever knowledge they had of unstable children through their own experience. One or two of them were in touch with local Child Guidance Clinics.

Staff

324. Almost all the homes were understaffed and some seriously so. In one local authority home for boys the Superintendent and his wife had no assistance or domestic help and the Superintendent who was a qualified teacher was also responsible for education within the home. Of this home it was reported that the house was not clean and the boys' clothes were very dirty. With the usual mixed population of a remand home an intolerable burden must have been placed on this couple. A local authority Home for 24 boys aged 8 to 16 had as staff, Superintendent, Matron, domestic assistant and night man who also acted as relief. Since it was at this home that all arrangements for education had broken down the Superintendent must have been entirely responsible for the provision of occupation with very inadequate assistance. We found that in the local authority homes we visited the majority of male Superintendents had teaching and the women nursing qualifications; but some were qualified only by experience. Many other members of staff were qualified by experience in remand or other homes. In a number of cases the staff was supplemented by untrained and inexperienced workers who were the best which could be found, and could be relied upon for nothing more than " keeping an eye on the children ". In the voluntary homes for girls the staff had usually been trained under Moral Welfare auspices often with nursing or teaching training in addition. In these homes staff was often very short in proportion to the number of girls with whom they might have to deal.

HOMES AND INSTITUTIONS FOR HANDICAPPED CHILDREN

(*a*) MENTALLY ILL OR DEFECTIVE CHILDREN

325. Evidence from local authorities, social workers, and members of the staffs of children's Homes and schools frequently stressed the lack of suitable accommodation for mentally disturbed, unstable, defective and epileptic children and the problems this occasioned, particularly when delinquency or excessively difficult behaviour is associated with some mental handicap. An example given was of a delinquent epileptic, discharged from an epileptic colony as difficult and from an approved school as epileptic; no satisfactory means of dealing with him had been found over a period of six years. Witnesses also stated that the admission of mentally disturbed children to mental hospitals usually involved their close association with adults whose symptoms were often of a distressing nature.

326. One of our members visited five mental hospitals and found in them 21 boys and girls under the age of 16 living with adults in wards and dayrooms. While there was no reason to doubt that they were being adequately cared for, the conditions seen, as well as discussions with the medical and nursing staff, gave point to the difficulties stressed by witnesses in this matter, viz., that special provision for mentally disordered children is urgently needed.

Institutions and Homes for the Mentally Defective (including Residential Special Schools)

327. Fourteen of these were visited, 9 under local authority and 5 under voluntary management. All the Local Authority establishments and the majority of the voluntary Homes had local committees, consisting usually of interested members who were actively concerned in the well-being and proper care of the patients, as well as with the administration of the institution, though exclusive concern with the latter was commented on in a few instances. All were certified or approved by the Board of Control for the reception of Certified Mental Defectives and, with one exception, all took adults as well as children. Admission and discharge of patients is regulated by the Mental Deficiency and Education Acts. Because of the nature of the problem, a large proportion of the children dealt with are received from areas outside those of their homes. We were disquieted about the conditions in one privately run establishment for retarded children and by the fact that children in the care of Public Assistance authorities had been sent there after an adverse report had been made. While we are aware that the care, training and education of mentally defective children is a matter requiring expert knowledge, we feel that our observations and discussions during the visits justify comment on certain points:

Accommodation

328. This was very satisfactory in some of the Homes seen, but the following illustrations show the great variation in standard:

Local authority institution for 50 boys and 50 girls, together with a larger number of adults: Mental Deficiency Act cases only.

" This building consists of an old work-house of scattered two storey buildings on the outskirts of a village in a high position. It was taken over by the Mental Deficiency Authority some ten years ago, and to the old stone buildings there have been added a number of modern brick houses accommodating about forty. There are two villas for children, one for boys and one for girls. In addition there is a small block for low grade children and cot cases. The houses, both more recently built than the main building, are well designed, spacious, widely separated and with ample grounds. Each house has a large room on the ground floor, with porch access to the garden, used both as a dining room and as a play room. There is in addition a smaller playroom. The playrooms contain jungle jims and push and pull toys, the composition floor being admirable for running about. The sleeping rooms contain about ten beds, well-spaced, with through ventilation. The beds, which are well sprung, are covered with bright green spreads which match the curtains. There are lockers for the children's own possessions between the beds, and poster pictures on the walls. The dining room contains small tables seating not more than six children. There are flowers on the tables. The food is cooked in a central kitchen and taken in thermostat containers to the various houses. On the ground floor of each house is a washing room with hand-basins served with hot and cold water, and foot baths. Water closets divided by low wooden walls lead off the washing room and are adequate in number. There are three baths to forty children, which can be divided

by screens. There is a good hot cupboard for drying outdoor clothing. There is an isolation room near the dormitories. The whole place seems well cared for. It is light and attractive."

Voluntary Home accommodating thirty patients.

. . . " the whole ' School ' of twenty or thirty children was crowded into one comparatively small room, seated round a table . . . . Some of them were occupied with a few toys, but most of them were just passing the time in general hub-bub."

A local authority Home for 14 educable mentally deficient children seemed unnecessarily cramped in its accommodation. The living rooms were few and dark, the bedrooms rather better, the kitchen dark and neglected with ragged oilcloth on the table. There was only one bath for 14 boys in a home in which frequency of bathing is obviously desirable. There was no sign of comfort, little decoration and no pictures in the playroom.

Staff Numbers

329. There was acute shortage of staff according to their own standards in seven out of eight of these institutions, and in the eighth the staff establishment was considerably below its normal level. This is evidently a problem of great seriousness in the mental deficiency institutions at the present time, and affects both the local authority and the voluntary homes. The ratio of patients to staff varied from 16 to 1 to 7 to 1. Considering the fact that the attention needed is for the most part at least equal to that required for young children the staff in many of the homes is inadequate. The position was stated to us in strong terms by those who showed us around the institutions.

For example:

Local Authority institution for 550 adults and children. Full staff establishment, 56. Staff at present 36.

" They have never had a full staff in this part of the institution. They are so short-handed at the main building that cooking has to be undertaken in the villas, and the matron herself has had to undertake the cooking recently, and had just cooked the Sunday dinner on the day of our visit. The Nurses' House has had to be closed because of shortage of staff."

Local Authority institution for 98 adults and children. Full staff establishment, eight nurses and one laundress. Now five nurses.

" When I arrived the Matron was cooking the staff dinner as there are no cooks, though the establishment provides for three."

Voluntary institution for 750 adults and children. Forty-five nursing staff needed. Present 24.

" The regulation hours of 48 a week have had to be considerably extended, and domestic staff is almost entirely lacking. This is made more serious by the fact that the Institution includes a block for 40 morally defective women. There is not enough staff to have a night nurse on duty, and there has been a serious problem with absconding, which takes the Matron off her other duties, including the care of the children."

Qualifications of Staff (excluding Teaching Staff)

330. Some of these institutions were in the charge of resident Medical Superintendents, others were managed by Matrons who are State Registered Nurses without mental training. In two of the institutions, apart from the Medical Superintendent and the Matron, none of the staff was trained, although in one of them, the Nurses were working for their Mental Nursing qualification. In several of the others, of which we were given particulars, only a small proportion of the nursing staff was trained. In one home which we regarded as under-staffed, four out of six members of staff were trained as general and/or mental nurses.

Physical Care of Children

331. We thought the physical care of these children very good in ten of these Homes, fair in two and really poor in two. The following are comments from reports of visits.

" The children were seen at tea, and looked brown and well and beautifully clothed, particularly the girls."

" The children are happy, well nourished and well cared for."

" The institution is said to be ' full to over-flowing,' and this combined with shortage of staff means that much less individual attention is given than should be given, and that the sleeping accommodation is inadequate. The dayroom for low grade patients has had to be scrapped to make room. There are six extra beds in each dormitory, thus going beyond the approved health regulations.

" The dormitories contain about thirty beds in the high grade block. In the low grade block there were twenty-nine beds in rooms which should hold twenty-five and in one room a mattress was on the floor because of shortage of beds. ' On the beds in September there was only one blanket. The sheets and pillow cases on some of the beds were so much patched that there seemed very little of the original left. The central heating is said not to work very well, and the rooms to be very cold in the winter.

" In the central building where the high grade children sleep, there are about fifty girls to one bath, and baths are only possible once a week, though there is said to be plenty of hot water, and a strip wash is given once a day."

Occupation, Education and Training of the Children

332. Distinction must here be made between the institutions catering for educable children and those caring only for children certified under the Mental Deficiency Acts. It should, however, be remembered that amongst the children certified under the Mental Deficiency Acts are some who have been excluded from school as detrimental to other children, or because of " special circumstances," and that these children may be of higher grade in mental development, though difficult in their behaviour.

333. Taking institutions for children not regarded as educable first, it was clear that there were wide differences of standard in occupation and training even in the four institutions which fell into this category. As an example of imaginative care and training, the following description is given:

Local Authority institution for adults and children. Present about 100 boys and girls of under sixteen—Mental Deficiency Act cases only.

" Although this institution is not for so called ' educable ' mental defectives, there are at present twenty-eight here who are regarded as educable. Because of this group there is a ' school ' in the Colony. The school room is small attractive room in one of the old buildings. It contains small desks, a piano, low slates and mirrors, so that the children can watch their own movements. The garden has good swings, and a sandpit. Inside is a well worn jungle jim. There are Scouts, and in peace-time, Guides, and the staff seem to welcome this as of educational value. The girls belonging to the Guides have a special dormitory. In the past holidays have occasionally been arranged through the Central Association for Mental

Welfare holiday homes, but not since the war. There is a break for school holidays and picnics are arranged. The children had gone on a picnic on the day of our visit. Personal possessions were provided for in the dormitory lockers. Some of the older girls go out to work, and they live in a separate part of one of the houses. They are allowed personal possessions on their dressing tables, and a special point was made of making these rooms seem homely for them."

At a Home for eighty mentally deficient girls, aged 14 and over, run as part of a Convent we saw an excellent example of what can be done by care and enterprise. These girls varied very greatly in degree of efficiency from an idiot who could do nothing but sit and be fed, to girls who were undertaking embroidery of good standard, leather work, rug-making, dressmaking, and a large variety of other crafts. These girls frequently acted in plays prepared by the Sisters and thoroughly enjoyed it—some we were told had undoubted talent. There was a cinematograph in the Home. In this Home the rooms were painted in bright colours (some of the painting was done by the girls and we saw some of them painting some bathrooms), flowers and floral china were provided; the girls made bath mats and rugs for bedrooms and patchwork quilts for the beds and bright nightdress cases. There were plenty of pictures and pretty curtains everywhere. Compared with the surroundings of many of the children described in earlier parts of this report this Home was outstanding in its effort to provide a happy place for these unfortunate girls. In contrast to this we could again quote the voluntary home in which, apart from domestic work, there seemed to be nothing whatever for the children to do, and in which the difficulties of mixed ages must be insuperable.

Voluntary home, housing seventy patients aged 5 to 54 years—Mental Deficiency Act cases only.

"All the children were described as ineducable. I understand, however, that there used to be a teacher for these children but that she was not replaced when she left. The Matron told me that she was quite satisfied that a teacher was necessary but it was quite impossible to get one.

Unfortunately we did not see the classes at work in any of the institutions providing Special Schools for educationally sub-normal children, but we were able to get some idea of the educational staff and of the variety of occupations given to the children. We were well impressed with the appearance of some of the classrooms and with what we heard about the methods of education used. For example:

School run by Voluntary Committee for retarded children.

"Both class teaching and provision for recreation were on admirable lines. The boys built their own paddling pool and made hutches for their pet rabbits. The outdoor occupations would have been excellent for any type of boy."

Outside Contacts, Holidays, etc.

334. There are obvious difficulties in keeping these children in touch with life outside the institution. Many have no hope of returning to ordinary life even when admitted as educable under the Education Act. It spoke well for their attitude towards the care of children that the staff in some of the homes went to considerable trouble to take them outside the grounds, and even to give them some responsibility for work outside when they

reached working age. This kind of arrangement seemed to be particularly good in five of the local authority homes and in marked contrast to three other homes two of them under voluntary auspices. For example:

Local Authority Institutions for 320 boys and girls in Special School.

"There is probably more attempt to encourage responsibility by allowing the boys outside the premises than there is in most homes of this type. At the present time some boys are doing paper rounds in the neighbourhood and some friendships are made in this way. Boys are allowed to go in small groups into the town to the cinema, etc. This occasionally leads to absconding but the boys sometimes come back of their own accord and in any case absconding is not considered as a serious problem. There are football and cricket teams and these compete keenly with other teams, generally meeting on a field at the Colony."

Local Authority Home for 25 boys and girls.

"The home has its own company of cubs. The children attend outside cinemas and go for country walks and picnics."

These homes usually run their own Scout and Guide troops in peace time. Several homes arranged holidays away in normal times at special holiday homes catering for defective children. One voluntary institution seen possessed its own holiday home.

After Care

335. Some of the children leaving these institutions go out on licence, some are transferred to other forms of community care such as statutory supervision or guardianship and some are discharged to their parents. It was estimated in one residential school that 5 per cent. of the children were discharged at 16. In another the estimate was 1 per cent. It has already been stated that a few of the older boys and girls go out to work from the institution itself; some of the girls to domestic service, and some of the boys to newspaper rounds. These plans appeared to work quite well.

336. In connection with one of the old established voluntary colonies, there are several hostels, two for girls and women about to go out on licence, who may undertake domestic work in the neighbourhood; another for men undertaking agricultural work. We did not visit these hostels, and we are not sure how far the ages of the patients for whom these arrangements were made brought them within our terms of reference. One local authority had a similar hostel for girls. We came across no instance of a member of the staff undertaking responsibility for supervision of the boys and girls who left, though doubtless some of the Medical Superintendents and matrons keep in friendly touch with them. The more usual plan is for the children to be returned to the supervision of the social worker employed for this purpose by the Local Authority in the area from which they came.

(*b*) PHYSICALLY HANDICAPPED CHILDREN

337. We visited five hospitals for long stay cases (mainly orthopaedic or heart) (one of which was closed to visitors because of an epidemic), two Institutions for deaf and dumb children, two sanatorium schools for children, two crippled children's homes, three Homes for blind babies, and a home of recovery for sick children, at all of which deprived children were taken. The purpose of our visits was not to assess the medical care, for few of us would have been competent to judge this, but to estimate as well as we could the

conditions under which many of the children spent long years of their childhood and the sort of occupations, interests and contacts which were provided for them. In so far as the hospital or Home had for long periods to take the place of the natural home, we were anxious to see how far it was able to supply any substitute for the part played by family care in the child's development.

Organisation and Administration

338. The hospitals which we visited were run by their own committee or board and we were told more than once of the interest taken by the committee in the work of the hospital. The Homes for crippled children and for deaf and dumb children were all run by voluntary organisations or committees carrying out the terms of special trusts. The Home of recovery was run by a small local committee whose keenness was evident in the exceptionally pleasant atmosphere of the Home.

339. We did not ascertain the exact length of stay of any of the children whom we saw in the various institutions. In the orthopaedic hospitals the stay was generally for at least a year, often for many years. In the deaf and dumb homes the children spent most of their childhood as they did often in the cripple homes. In the Home for the blind they remained only for a year or two before transfer. The Home of recovery took children for periods up to two years.

Orthopaedic Hospitals

340. We were well impressed by the physical comfort and surroundings of the children. Two of the buildings were modern hospitals, one with a separate block for children who were in a ward from which beds could easily be wheeled on to a verandah. Another hospital intended only for children was set in pleasant grounds which could be seen from the wards and verandahs. It was unusual to see any attempts to make the ward attractive to children by means of curtains, paint or other decoration.

341. Qualified teachers conduct classes in all the hospitals which we saw. A nursery school teacher takes the children under 5 and other teachers take the various wards. The ratio of teachers to children is high (about 1 : 10) but it must be remembered that only a few of the children can be taught at tables and many cannot leave their beds. On the whole, the education given seemed real schooling and not a means of occupation. In a smaller hospital catering for sixteen children, a teacher from the Local Education Department attended daily for two hours in the morning and one hour in the afternoon. Most of the children were inactive, so that teaching would have to be done at the bedside. In two hospitals the occupations provided for the children's leisure seemed good and varied as the following notes show:

> "The children were in their cots and had ample play material and seemed to be very happy . . . . the staff seemed to be genuinely kind people and to take a great interest in the care of the children from the well-being point of view as well as from the treatment point of view. The children who are lying in bed at rather awkward angles seem to be kept occupied. There was a very happy atmosphere about the whole place. They had plenty of toys and the Matron knew each of them by name and they greeted her very keenly. The Matron is evidently a lover of children and she evidently inspires this in the nurses. . . . There is a good library, and any older boy or girl who wants any other type of educational book can get it from the Central Library. The nurses take a great interest in the children, quite apart from their treatment. This is probably because such an interest is encouraged by the Matron and the doctors. Voluntary workers visit the hospital to take the children out in wheel chairs. Local Toc H arranges entertainments in the wards every Wednesday afternoon . . . . The children's birthdays are always kept, and they have birthday parties and presents."

In the other hospitals we were less satisfied with the arrangements made for interesting occupation and friendly relationships, though it may have been that we visited at an unfortunate time of day. One example may be given:

> "We called at about four o'clock in the afternoon. The children were lying on their beds, mostly awake. One or two had picture books or dolls, but others had nothing and looked bored. A young nurse was in charge and did not seem much interested in discussing the welfare or occupations of the children. It seemed that these children had little of occupational or social interest after the teacher left at three o'clock in the afternoon, though most of them appeared well enough to need this. We were told that there were two occupational therapists in the hospital, but that they did not have anything to do with the children who were receiving education. The parents are allowed to visit once a week, and more often if a child is very ill. In special circumstances, such as the leave of Service fathers, more frequent visits are allowed."

Homes for Deaf and Dumb Children

342. One of the two institutions for deaf and dumb children which housed 80 boys and 70 girls aged three to sixteen sent by Education authorities from all parts of the country, was run by a sisterhood. The staff of sisters and technical instructors numbered forty, some of whom were old pupils. The speech training and general education given here seemed to us careful and thorough; the children were obviously keen to learn and the staff devoted and cheerful. At the other institution the classrooms round a central hall were designed for ten or twelve. Both these institutions were large and barrack-like in appearance and old fashioned in furnishings, though both were set in beautiful grounds. The rooms at the first were very comfortless and bare with forms for seats and little in the way of decoration. At the Convent the rooms were very bright and clean and it was pleasant to find a toy on the bed of each child in the dormitories for younger children. There was a very happy atmosphere in this place, but we regretted that this group of children, already so isolated from other children and from the world, could not be housed in more modern buildings with a more homelike and comfortable appearance. When it is remembered that these children spend the whole period of their childhood in these Homes except for holidays, the need for comfort and brightness is apparent. Even in the buildings we saw, much more could have been done to help them by pictures and decoration.

Homes for Crippled Children

343. We visited one Home for boys aged 10 to 19 and one for crippled children, both boys and girls. At the first the boys suffer from incurable diseases but, in spite of terrible distortion, are able with the specialised help and the encouragement of the staff to achieve a great deal in work and play. The standard of intelligence was high, almost all the boys coming up to Grammar School level. Education is carried on in the Home, much of it is intended to encourage or preserve manual dexterity and consists of such handicrafts as fretwork and the making of toys. One boy was seen playing the piccolo. The boys played games like billiards from their wheeled chairs. There was an excellent library in this Home which was organised and controlled by one of the boys on strict library lines. The whole curriculum was planned to make the most of the children's time and abilities and to keep

them as normal as possible in a very restricted life. We were impressed by the staff at this Home, their devotion and their attitude to the children generally. Each boy had his own locker which is only tidied out if he is present to say what should be retained. These lockers are never looked at by the staff unless they are found open. At the other Home we were equally impressed by the individual attention given to the children, both physical and psychological. We wished that some of the lessons which had evidently been learned in the care of these severely handicapped children could have been passed on to those in charge of Homes for normal children. In spite of the difficulties of distance in the case of both these Homes, a close contact was kept by the children with their families. Parents were allowed to visit freely and many other visitors came.

Homes for Blind Children

344. We saw three Homes for blind babies. One was an admirable building beautifully equipped for its purpose and was run for infants under three, at which age the children passed to residential nurseries run by the same organisation. The staff at this Home consisted of a matron and assistant matron, both State Registered Nurses, a Norland trained Staff Nurse, a cook and five probationers. Owing to shortage of staff and the starting of the 48 hour week it was not possible for someone to be constantly with the children in order to give them the sense of security which must be specially needed by blind children at so young an age. We were only able to pay a short visit to this Home, but we left it with some doubt about the value of a purely hospital training for those who are to have the entire charge of the children. At this Home there was great efficiency and much real kindness, but warmth of affection and motherliness seemed lacking.

Children's Sanatorium Schools

345. We visited two local authority Children's Sanatorium Schools of very contrasting standards. The first, which housed 180 tubercular children aged 3 to 16 years of age had—

> " a Headmistress and nine teachers, all qualified. There were modern classrooms for those children who were able to walk about and specially equipped verandah classrooms for bed cases. All the children were able to have a normal school education. Those who were retarded on admission were given individual tuition. School began at 9 a.m., continued until 12 noon, began again at 2 p.m. and continued until 4 p.m. After 6 p.m. the teachers took turns to remain on duty in order to help the children with games, reading, letter-writing, hobbies, etc. Five out of seven entrants had gained the School Certificate and four had won Scholarships. Teaching is partly carried on by special interior broadcasting methods. Both teachers and children used the broadcasting system, the children giving nature talks and talks on hobbies. Most of the equipment was on special wheels, such as blackboards, nature study trolleys, trays of tools and pianos. The trolleys were at bed level. Other classes were held for mural painting, needlework and special handicrafts. These classes were considered to be diversional therapy and, though educational, not part of the normal school education. We considered this Sanatorium a remarkable place. The children did not appear to be sick children and even the most deformed were lively and intelligent."

The second Sanatorium School was a shocking contrast. We found the twenty-two children here housed in decayed wooden huts which had been condemned before the war. The rebuilding programme intended then had been prevented by the war and the continued use of the huts was, we were told, due to pressure of space owing to the use of the area as a Reception area. We were also told that within a fortnight of our visit the children would be rehoused in an existing modern block of the Isolation Hospital. It was, however, as well that we should have seen the conditions in which most of the children had been living for as much as two years. The sanatorium and the conditions prevailing in it at the time of our visit were no less than shocking. It had been virtually uninspected for years on end; the only inspection of which we could hear had been made by a Ministry of Education Medical Inspector in 1943. The school had never been inspected by an Educational Inspector of the Ministry nor, so far as we could discover, of the Local Authority. The report made in 1943 (which we were able to see) stated that the accommodation had been twice condemned: it was described as " rat ridden and unsafe." The transfer of the children to one of the closed Isolation Wards was recommended. The same state of things was found and the same remedy proposed when we visited in November, 1945. The remedy was at last applied in June, 1946. The children were, we found, being taught as a separate unit by a visiting teacher. Twelve girls in one hut and 10 boys in another, aged 4 to 14, were taught together in one of the huts. We were told that the teacher (whom we did not see) was competent and did her best for the children, though discouraged by the conditions and the lack of any inspection arrangement. The heating provided (a central stove in a large ward) and the lighting (which shone from the centre into the eyes of the children in their beds) were altogether out of date. There were holes in the floor boards, the decoration was dreary and the surrounding of overgrown vegetation depressing. The emphasis was (perhaps rightly) on medical treatment rather than education but, making all allowance for handicaps, the children seemed remarkably backward. There was an obvious need for some form of occupation to fill the gap between the limited hours of schoolroom education and the children's long hours of entire leisure which the few nurses could not hope to deal with. The children seemed to have few toys and little or no materials for play or handwork; they were bored and listless. It was clear to us that the nursing staff and the teacher were struggling with almost impossible conditions.

Home of Recovery

346. The Home for sick children which we visited was one of the most delightful of any kind which we saw. It was run by a young matron in a pleasant country house on to which had been built wards and schoolrooms. The ward we saw was a large glass sided square with sliding shutters. The children at the time of our visit were having lessons. The matron was helped by a small local committee.

BOARDING OUT

BY LOCAL AUTHORITIES

347. We examined methods of boarding out in all local authorities' offices we visited and made visits to boarded out children in 20 areas. Usually we obtained a list of children, their ages and addresses, at short notice from the officials and made a representative selection from it. Thus in four county areas where members spent several days in an investigation of boarding out care was taken that not only the more accessible children were seen but also those in the remote rural areas. In other instances we made a point of visiting all the members of one family however scattered. After visiting the

a conference was held with local authority officials (in a few cases the conference was held first and in a few a conference took place before and after the visit) at which questions of interest arising from the arrangements could be discussed. We also read a number of children's records and in some districts were also able to see the health and education records for the same children. We were thus able to see the organisation working and gauge its value. We met in almost every case great frankness, a genuine wish to withhold nothing and a real desire to do the best for the children. We received a warm welcome from the foster parents and often also from the children. There was a general assumption on the part of officials and foster parents that the reason for our enquiries was to prevent a repetition of the O'Neill case.

Visitors

348. The arrangements varied considerably as between authority and authority. In one rural county each area had a Children's Committee or a Boarding Out Committee, the members of which acted as voluntary visitors to the children in their area. When additional visitors were needed individuals were added to the committees by the nomination of the Public Assistance or Education departments, the Chairman of the Committee or, if a substitute were required, by the retiring member. The members were largely women, and usually held some recognised position, such as magistrate, doctor, local councillor, or councillor's wife; they were usually aged between 50 and 60. All appointments were for three years in the first instance but as most of the members had been visiting for some years the renewal was probably a formality. No paid visitor was employed in this county.

349. We found mixed views about the value of voluntary visitors. Some people thought that by their local knowledge and local contacts they constituted a genuine safeguard to the children in their area. Others thought that they were too inexperienced to recognise the problems with which they might be confronted. As it was expressed to us " they were apt to pat the children on the head and think that they were quite happy ". Other officials mentioned such difficulties as unreliability about visiting, and slowness in paying emergency visits if the foster home was isolated. We ourselves noticed in many cases the poor standard of reports, the infrequency of visits and the difficulty of officials in mentioning such defects to the visitor who might be a person of some importance in the locality. While in most cases the voluntary visitors were spoken of with appreciation, the inadequacy of some visiting was brought forcibly home to us, as in one case of a visitor who always visited on horse back and was unable to remain more than a few minutes " because the horse would not stand ". From our own interviews with voluntary visitors we formed the opinion that although the work attracted devoted and sometimes very capable women, their personal suitability for the work was not always very marked and their other commitments often hindered them from doing all that was necessary. In particular we thought that there was a serious danger that the more difficult children might not get the skilled, frequent supervision which they needed.

350. In a number of other areas paid visitors were employed but we did not meet any who had received special training for the work before appointment. Thus one county borough was in the habit of sending a shorthand typist from the Public Assistance office to visit children in the care of the Public Assistance department while a superintendent school attendance officer visited the children boarded out by the Education department. In another county borough the visitor had had some experience of school attendance and had taken a short course with the Provisional National Council for Mental Health. In other cases the boarding out visitors were hospital nurses, a woman who had attended a police training course, school attendance officers, clerks, etc. In one area the Health visitors supervised all the boarding out arrangements for Public Assistance children in addition to supervising fostering under the Maternity and Child Welfare Committee.

351. The paid visitors received salaries on local authority scales (with even in these cases variations between the departments) rising to a maximum of about £220 a year, in most cases with bonus in addition. In the main they displayed great interest and industry. They were usually women of some practical ability between 25 and 50 years of age, familiar with local conditions but often lacking the imagination and resourcefulness of the trained worker. Some of them felt that no specialised training was required; others expressed a wish to take a thorough training. The worker who had attended the National Council course had been delighted with it.

352. The work of these officers was supervised administratively by the Chief Officers of the Public Assistance and Education departments or their deputies. In one area we were able to discuss the work with one of the assistants in the Education department who gave up a proportion of her time to it. She was a graduate who had been a teacher. In this area an advertisement had been drafted for a trained boarding-out visitor at a salary of £300 to £350, who was to take over the bulk of the work from the voluntary visitors.

Choice of Foster Home

353. We were told that the method of finding foster homes by advertisement had been found to be unsatisfactory, as a large number of the replies proved unsuitable after investigation. There was an interesting exception to this in one county borough where an advertisement had asked merely for a kind home for a homeless child with no mention of any payment. The replies to this had been uniformly good. One foster mother who was happily settled with a not very easy little boy of five told the member who visited her that she had not the least idea when she replied that she would be paid for looking after him and had been quite prepared to take him in place of her own child which she had lost a year or two before.

354. Usual methods of finding homes were through the recommendation of visitors (particularly in one area by voluntary visitors who were constantly on the look out for fresh homes) and through the recommendation of other foster parents. We came across no instance in which any real publicity had been given to the work through articles in the press, lectures at women's guilds or at parish meetings.

Investigation

355. In all the areas which we visited some investigation was always made of the home before it was accepted for placing, but it must be reported that there was often a good deal of " hit or miss " about these preliminary enquiries. A great deal of reliance seemed to be placed on the first impressions formed by the visitor. In some cases this impression was not confirmed by inquiry from local clergy or teachers or by requiring references. In others reference to two persons of recognised position was required and local knowledge was also tapped. In no case did we find that any inquiry even in the most general or discreet terms had been addressed to the police about the applicant's record. In most cases the first interview was with the foster mother and sometimes it happened that the foster father had never been seen because he was away on war service, or out at work. The attitude in such cases appeared to be " it's the woman that matters ". It was not uncommon to find that the foster parents' undertaking was required to be signed only by the foster mother. In one

county area a special letter to referees had recently been drawn up and found very useful putting specific questions about the foster parents, such as character, health, religion, moral principles, reputation and capacity for bringing up a child. In only one instance, did we find that written references were supplemented by personal interviews with referees. We heard many comments from officers of the Public Health Departments that that Department was not consulted about the suitability of the Home. Most authorities were careful to ensure that children only went to homes where there was a minimum income level. We found, however, that there was a sensible attitude in most cases and a recognition that if the environment was otherwise good, and it was clear that there was no mercenary motive, the economic factor should not be unduly stressed; that there was room for elasticity and adjustment of clothing and other allowances; and that foster parents generally were alive to the value of such social services as school milk and meals, free orange juice and cod liver oil. The freedom of the foster mother to spend time on the child and the motives behind the application were almost invariably considered. In one area we found the few cases where the foster mother was working were specially supervised.

356. The responsibility for the final approval of the home usually rested with the committee of the Council responsible for the child where there were paid visitors and with the Children's Committee or Boarding Out Committee where there were voluntary visitors. Approval was given on the report of the official or visitor concerned.

Choice of Child for Home

357. As a general rule as soon as the foster home was found to be suitable either the official responsible for the particular department (where there were voluntary visitors) or the paid visitor, selected a child corresponding as nearly as possible to the choice of the foster mother and took him along for the foster parents to see. In other areas the foster mother went to the children's Home where she was able to see the child with other children and could decide whether or not he was suitable. The dangers of careless placing were constantly brought home to us both in the Homes to which children had been returned and in our own investigations. In the Cottage Homes of one county borough we saw a heart-broken small boy of three who had been boarded out with a woman who for some weeks had loved him and spoilt him and who had then returned him to the Home.

Motive for Taking Child

358. We found that the most frequent reasons for taking a child were to provide a companion for an only child or to have a child where a couple were childless. Some of the childless couples were older than is desirable in foster parents and it was noticeable that the less good homes were often found where the couples were elderly.

Economic Standard of Homes

359. We saw a large proportion of homes of superior standard. The foster parents lived in well-furnished five- or six-roomed houses and their income level allowed for a certain amount of extras. In one county we found that a number of foster children were being given piano lessons and had got bicycles. Other homes which we saw were old country cottages, some without baths and one or two without indoor lavatories but in almost all the child had a room to himself. In very few did we find that he shared a room with other children and only in one or two with the foster mother or foster parents.

In many homes it was clear that the payment received was not regarded as the measure of what could be spent. Besides those extras already mentioned it was usual to provide the foster child with clothes, toys and entertainment as for any other member of the family. We received complaints about rates for clothing, usually in those homes in which the income was for some reason or other low (a widow living on a pension or a foster father on the point of retirement) and this seemed to indicate that it would not be safe to place children at the usual rates if overhead costs were not met from the income of the foster parents.

Rates of Payment

360. We found a uniform scale of payment in only a few of the areas we visited. In the rest the scales had been devised separately by the various local authority departments, though they were often closely similar. In the same way, local authorities boarding out children in areas of other authorities sometimes kept to their own rate of payment although it might be different from that paid locally. The lowest payment of which we heard was 10s. a week for a child under 14, the highest for the same age was 20s. 6d. It was usual to increase the rate with age, often in three stages, although we came across one exception in a scale which provided for a special supplement for all children below the age of seven, the total sum varying from 20s. 6d. for a child of under three to 15s. 6d. for the child of five to seven and decreasing to 13s. at seven. The justification for the special scale was the extra trouble caused by small children. In one area where a uniform payment of 16s. was made, we were told that "if foster parents can be obtained at all, they can be obtained for 16s.". We came across one instance of special rates of pay being officially agreed upon for all children with special difficulties, and in one or two areas we found that special supplements were paid in these cases. No difference appeared to be made by the provision of school meals. In one area we were told that the foster mother could not afford to pay for the school meal out of the payment made for the child.

361. We came across no case of payment which was recognised as providing remuneration for the foster mother, although, in the case of the higher payments for children under three and specially difficult children, the higher payment could be considered to be payment for additional work done.

362. The general effect of these different rates was bewildering. It would be possible to find small children paid for at three different rates by the same local authority and at three different rates by an outside authority, all in the same area. Such uneven payment only resulted in resentment in the lower paid group of foster mothers and could not be justified on any economic basis. There would have been no difficulty about paying uniform payments for the different age groups in the same area.

Clothing

363. In every case some extra payment towards the cost of clothing was made. These payments varied from 52s. 6d. a quarter to 30s. a quarter (which was, we were usually told, too low), but in some areas one or two pairs of boots were given as well as the allowance. Judging by the clothes shown to us in a number of homes, the actual amount spent on clothing was very much more than the allowance in most cases.

Pocket Money

364. As in the case of children in Homes, the allowances for pocket money varied considerably. The minimum allowances for children varied from 1d. to 6d. The maximum allowance varied from 4d. to 2s. for children over eleven. Children were often given sweets in addition.

Medical Care

365. The recent revision of boarding out arrangements in a number of areas following the O'Neill case resulted in some changes in the arrangements for medical care. The usual method seemed to have been for the Public Assistance department to get the child medically examined before boarding out but afterwards to leave the foster mother to call in her doctor as required. Sometimes there was a further check by the district medical officer. The arrangements made by the education authorities seemed to rely largely on the school medical service after the examination within a month of placing, so that a year or more might elapse between the examinations. Although careful instructions were usually given to the foster mothers about calling in the doctor, there was little check that she followed the advice. In a remote village we came across one small boy with what appeared to be septic sores on his legs which were tied up with none too clean bandages. He had not seen a doctor and the foster mother had not thought of taking him to one. If anything had gone wrong there would have been no outside check on the use made of expert medical advice. In another area we were told that all school children boarded out were specially examined every six months, checked, and that if the child missed the medical examination his card would be sent to the doctor for a further visit. This system, though it appeared to be water tight, broke down in the first case in which, because of some special health difficulty, we made inquiries. The card had been overlooked and was still in the index.

366. It was usual to make the initial examination in the children's Home or workhouse from which most of the children were boarded out. After that, a great deal appeared to be left to the individual foster mothers. Although far the greater number of the children we saw were well and healthy, there were a few about whom we felt some anxiety. We were doubtful whether the foster mothers were intelligent enough to recognise the possible need for special advice and thought that expert help might be called in too late. If the child missed the school examination he might go on with some disability or disquieting symptom for a number of years.

The Up-bringing of the Children

367. In judging the kind of care given to foster children we took particular notice of the relationship between foster parents and child so far as we were able to see it and of the provision made for the child's leisure. We were very much impressed by the way in which in the best of the homes the children were taken completely into the family circle, the good sense and understanding with which they were treated, and the interest shown in them. Our notes constantly showed the affection and pride with which these children were treated. This attitude in the foster parents was particularly marked in one case where the foster child was not only enuretic but of very poor intelligence and very difficult to deal with. This child, in spite of tendencies which might have appalled natural parents, was the darling of the household. Her clothes, specially furnished bedroom, her toys were the very best that could be provided for her. The foster parents were even paying for her to go to a private school because they thought that the headmistress of the elementary school " had a down on her ".

368. We did not find any home in which there was any cause for anxiety about the physical care of the child though in some we thought that the choice of home had not been good. In one or two instances we thought the attitude of the foster parent over-possessive and in a few we were doubtful about the suitability of the foster mother for looking after small children on account of age or some disability. These cases were, however, exceptions, for in the large majority of foster homes the children were treated with kindness and their difficulties dealt with with skill and common sense and they had settled happily into the home. Indeed in many foster mothers we found a special awareness of their need for compensation and a recognition of their special problems. Where the child was dull or difficult there was often an obvious attempt to shield him from criticism and to discover compensating abilities.

369. Most of the children were living the kind of lives which they would have lived as true children of the home. On the whole they took a normal share in family activities helping with the housework and shopping, running errands and, especially in the case of boys, working with the foster father. Many belonged to Guides and Scouts or went to clubs and other youth activities. We visited a number of homes soon after Christmas and were shown an imposing array of presents and a large number of Christmas trees.

370. The success of boarding out in the areas in which we examined it was considerable. Not only did the children (often coming from distressing circumstances or an unstable background) seem to settle and to flourish, but they appeared happy and well adjusted to their way of life. The following observation made by one group of members on their boarding out investigation illustrates this. " The contrast between the children in Homes and the boarded out children was most marked. The boarded out children suffered less from segregation, starvation for affection and lack of independence. They bore a different stamp of developing personality, and despite occasional misfits were manifestly more independent. For example, they were much more indifferent to visitors, were much better satisfied by their environment (by which we mean the special features of security and love). There was, we thought, much greater happiness for the child integrated by boarding out into a family of normal size in a normal home."

Supervision

371. We noticed with some concern that although difficulties with children were freely admitted, they had very rarely been discussed with the visitor, and often no hint of trouble appeared on the report. This failure to appreciate the position in the home seemed much more frequent in the case of the voluntary visitors than in the case of paid workers who, although untrained, were usually more accustomed to summing up a situation. It seemed to us that only the general high standard of the homes chosen ensured protection from another O'Neill tragedy because in many cases exactly the same conditions of supervision prevailed: the visiting was irregular and infrequent and often inadequate, and although the visitors were in almost every case well liked, they seemed to have little real knowedge of the people with whom they were dealing. If, even in the many excellent homes which we saw, there had been an unexpected change through the death of one parent, or loss of income or the onset of illness, the home might well have changed its character without any realisation on the part of the visitor of the possible worsening of the child's condition. It must be recorded in fairness that the warm welcome given to us suggested that the foster parents were glad to see visitors (and we called at all sorts of strange and inconvenient hours). We found that we had only to mention the usual visitor's name to be asked in.

372. We were troubled about the long gaps which sometimes occurred between visits. If a visitor resigned or left there was often a long interval before another was appointed and in the case of voluntary visitors there were often long gaps in visiting which were explained as due to domestic difficulties which, though understandable, would not have been accepted as a reason in a paid worker. In some instances the voluntary visitors were ill-instructed

in the boarding-out regulations and in what could be done for the child. We found that several foster mothers asked our advice about matters with which it was the duty of the local authority to deal, but about which the visitor seemed unable to give assistance. One foster mother we visited had three more children in the house than was allowed by the regulations. These children had been placed by a voluntary organisation but no report on numbers had been made by the visitor in spite of the fact that the sleeping conditions, though not a matter of hardship, were not satisfactory. In the case of a foster child on probation for stealing (whom in spite of repeated visits we were unable to see) there was no sign on the record of any contact with the probation officer and no note of a mentally defective relative living in the house, nor of what was common gossip in the neighbourhood, that the boy was made to do far too much work for the foster parents. One visitor, aged 69, told us that she felt unable any longer to go long distances. She was inclined to rely on seeing the children about in the neighbourhood. In another instance both the foster mother and the visitor were very deaf.

373. We paid a few visits with some of the salaried boarding-out visitors. In some cases the workers' approach was skilful and understanding, and we were impressed by the trouble which had been taken to inform the foster mother fully of the child's previous history, the easy and happy relationship between the visitor and the whole family and the care taken that the children in their charge should be encouraged in every way to develop their special interests. Most of the salaried visitors did not reach this standard. While they were obviously well-liked and conscientious, they lacked the perception of the trained worker. We had some doubt whether, had the situation required it, they would have been able to take action in a difficult case.

Stability of Foster Home

374. A number of the children we visited had been in the foster home since infancy, and many remained in or in touch with the foster home after the age of 14. The particularly difficult child of nine mentioned in paragraph 367 had been with the foster parents since she was two. The length of stay in the foster homes of the children we saw varied from four months to ten years. Some of these children had had a particularly disturbed infancy, but the liability to change had been quite as marked in the institution as in the foster home. One child we saw had been in five institutions and three foster homes before she was eleven. Another child had been in four institutions and two foster homes before the age of eight. So far as we could ascertain these children had shown no particular difficulties. Out of 24 boarded-out children seen in one county, eight had been in at least one other foster home and three had been in more than one other foster home. No child had had more than two previous foster home moves. Most changes of foster home had taken place during the war owing to special circumstances.

Brothers and Sisters

375. The desirability of keeping members of the same family together was recognised in most of the areas visited, but we gained the impression that although an effort was made in the first instance to place the children together or within easy distance these arrangements quickly broke down if for any reason a change had to be made, and after a time it was lost sight of. In one county we came across five sets of brothers and sisters boarded out. Two of these families had been completely broken up and were placed out all over the county: the rest had been placed in ones and two and in some cases were keeping in touch, in others were not meeting. Occasionally one of a family was adopted and thereafter all connection with the rest was severed.

School

376. In the main the children we saw were having much the same education and advantages as other children. In only two cases did a foster mother complain that the children were singled out. In one instance the foster mother was resentful because she thought that the school teacher was " down " on Poor Law children and " picked on " them, and she had told her two foster children that they must always stick up for themselves. One child, had in her opinion, been wrongly blamed for some damage and had not been recommended for the scholarship examination on that account. The other had been backward and the teacher was said to have resented the fact that she should go into anything but domestic service. The other child, already mentioned, had been sent to a private school because of the supposed unfair attitude of the head teacher. As a general rule the foster parents took a great interest in the school progress of their children, discussed them with the teachers and took pride in their achievements and they seemed to know all about the child's relationships at school. These children had entered for scholarship examinations with the rest and a few of them were attending technical and central schools. We found in one area that when we were able to see them the school reports were most interesting and revealing and provided a valuable supplement to the rather meagre boarding out record. We came across one interesting case of an illegitimate child of a feeble-minded mother whose school reports over a number of years had noted her good intelligence and power of leadership. Very little contact between voluntary visitors and schools was found. School reports were usually sent direct to the responsible Committee.

Employment and After Care

377. We were dissatisfied with such arrangements as we found for the placing of boarded out children in employment but it must be remembered that only a small number of the children visited had reached school leaving age. Although the officials responsible were positive that help from officers of the Juvenile Employment Bureau would be sought we did not find any child who had been seen or placed by them. What actually happened (without any realisation on the part of the boarding out officials) was that the visitor and the boarding out visitor between them found the child work locally with the very laudable intention of keeping him with his foster parents. This in the case of voluntary visitors meant that local people applied to them for gardeners' boys, domestics, nursemaids, labourers and the like and the child was placed (as no doubt a great number of normal children are still placed) without any special consideration of his wishes or aptitudes. Thus in one remote village we found a boy of 14½ working as gardener's boy. He had failed in the scholarship examination but was intelligent, a keen scout and interested in woodwork. He may have been well suited to his job but it did not appear that he had been able to have any choice about it. This boy incidentally was an example of the difficulty of settling children from Homes. He had been in the county public assistance children's Home before being boarded out at the age of seven. He still remembered it as an unkind repressive place where they " often had the stick ". The foster mother told our visitor that he was thin and poor when he came to them and that he wet his bed nightly for five years. When seen recently he was a well-grown lad, independent but friendly and with good manners for his age.

" Fostering "

378. Illegitimate and unwanted children are sometimes placed in foster homes by Health Visitors. Sometimes they came from the nurseries of workhouses or from residential nurseries. Some local authorities prepared

lists of suitable homes which were approved by the Health Department. In one area the local Association for Moral Welfare was grant-aided by the Public Health authority to aid in finding and inspecting foster homes on condition that trained social workers were employed. It was the general experience of Health Visitors in the areas visited that almost all the babies were actually placed with adoption in view.

379. Many mothers placing direct found excellent homes for their babies. Degenerate and sub-normal mothers usually chose homes in slum areas with poor foster mothers of low mentality from whom it was most difficult to get the child away. The homes visited by us were at both ends of the scale of possibilities: in the lowest the foster mother had just contrived to meet the bare conditions qualifying them to receive the child for reward. In assessing these conditions it was plain that great latitude had been allowed although the home was often as good as the child's own home. Babies were seen in attics where owing to bomb damage wet dropped in: they were found living at the back of derelict shops which were entered by means of a wooden ladder and they were seen playing in garbage heaps amongst dust bins, old tin cans and dirty milk bottles. Many of the children wore cast-off clothes or clothes given by the kindness of the Health Visitor who had obtained them privately. In the case of fostered children there is no fixed allowance either for maintenance or clothes as in the case of boarded out children: the mother makes her own arrangements with the foster mother.

380. In some cases the foster fathers were interviewed. Some had taken great interest in the children. One, a railway porter, had given up smoking in order to spend money on the child whose mother had deserted it. In all areas the Health Visitors encouraged foster mothers to use infant welfare clinics.

Health Visitors

381. We met and talked with Health Visitors of all degrees of experience. Health Visitors were allowed a good deal of freedom in the choice of homes; some encouraging fostering in the same type of street as the child's own mother lived in and others insisting on a placing on the outskirts of a city in order to obtain space and gardens. All were anxious about the fate of the child taken without reward and recommended that such placings should be notified to the authorities.

BY VOLUNTARY SOCIETIES

Kind of Home

382. We investigated a certain number of placings by the large voluntary societies which place children for boarding out as well as providing Home care. We did not find any important differences in the foster homes selected by voluntary societies or in the reasons for taking the child or the rates paid for them and the conditions required. On the whole the clothing allowances paid by the voluntary organisations seemed lower than those paid by local authorities. In some cases children who had been evacuated to homes of less good standard, before they had been taken over by the voluntary organisation had remained in them, because of the affection between the child and the foster parents.

Type of Child

383. As in the case of the children placed by local authorities many of the children placed by the voluntary organisations had suffered distressing experiences before their placing. Some of them had proved very difficult to handle at first and most had had difficulties such as pilfering and bed wetting. We saw some cases in which the organisation had been successful in placing coloured children. We were impressed by the value of having available a small home or hostel for children who proved too difficult for a foster mother to handle. We saw one such Home used by a large voluntary organisation in which children who had serious difficulties seemed to be thriving.

Removal at Fourteen

384. One large organisation, some of whose children were visited, made a practice of removing foster children from their foster families at the age of fourteen and admitting them to Homes for training. This was found to have caused considerable resentment. To make removal a general rule seemed to us to take away one of its chief values from the foster home at a time when the child might particularly need continuity in his relationships. At one home from which a boy of fourteen had been removed after many years the foster father said " It seems just like Nazi methods." These same foster parents, who had suffered twice from the removal of children to whom they had become closely attached, were at first apprehensive lest the visitor should have come to remove the two little boys to whom they seemed to be giving excellent care. Another foster mother whose fourteen-year-old girl had been taken into a Home for domestic training protested so bitterly that she was finally allowed to return and was working in a factory at the time of our visit. We were glad to hear that this general rule was now being reconsidered.

Case Histories

385. Many foster parents complained about the very small amount of information which they received about the children from the organisation responsible. One little boy given to rages of a most difficult character had had a large cut across his head. His foster mother wondered whether this injury might account for the trouble as she had been told nothing about him. In some cases the foster mothers suggested that the visitors did not know the children's histories either, but it may have been the policy of the organisation not to disclose the facts.

Visitors

386. In most instances the visitors appeared to be exceedingly helpful and accustomed to visit very frequently, in one district as often as once a month. In a few homes we found criticism of infrequent visiting. As a rule the foster mothers welcomed supervision and would have found it even more helpful if the visitor could have told them more. On one or two cases, the withholding of information had led to a lack of confidence between foster mother and visitor and foster mother and organisation.

BY THE MINISTRY OF PENSIONS

387. In a few areas we were able to visit children for whom the Ministry of Pensions is responsible and to meet some of the officers responsible for visiting the children. The children fall into three groups, as follows:

(1) Children " under care " for whom the Ministry is entirely responsible because they are total orphans or children of mothers not capable of giving them proper care. These children are placed with foster parents and are required to be visited every two months or more often.

(2) Children who are cared for by relatives but for whom the Ministry pays a pension. They should be visited every three months.

(3) Children in the care of their mothers who are widowed. These children are not ordinarily visited but may be placed under supervision if adverse accounts are received about their care.

Visitors

388. None of the visitors we met held a recognised qualification for social work though we understood that some trained social workers were employed. Students receive a training at Headquarters in the theory of the work and spend some time with visitors working in the field before they are appointed as visitors in their turn. The work is organised from a district office with reference to Headquarters when difficulties arise. In one rural area we found that the visitors had about 125 cases of whom about a fifth were " under care " and shared the assistance of one student. No cars were provided and it was obvious that a great deal of time which might have been available for skilled work was wasted in travel.

Finding Foster Homes

389. We found that very great care was taken to check the reputation of the family. Three references were asked for and the names given were usually those of persons of standing in the community. Wherever possible a personal interview with the referee took place. A register of foster homes is kept and reports on the home are filed in it. The placement is notified to the Child Life Protection department if the child is under 9 and to the Education department if the child is under school leaving age. Generally speaking the visiting is left to the Ministry of Pensions visitor by arrangement unless advice about health is needed. Visits are made to the school to discuss progress.

390. A routine medical examination is made when the child who is a total orphan comes into the care of the Ministry. Afterwards the school medical examination is relied upon for routine purposes and the foster-mother is asked to call in her own doctor where necessary. Several health difficulties were mentioned to our visitors and it was found that special arrangements had been made for examination and treatment in these cases. Arrangements had been made for the county psychiatrist to see a boy who had been stealing and later the boy was transferred from the foster home to a Hostel for maladjusted children. In one or two specially difficult cases we were doubtful whether the advice given to foster parents who were troubled by the difficult behaviour of the children was as helpful as it might have been.

Rates of Payment

391. There is a flat rate of 13s. 6d. for each child in the care of the Ministry and this is supplemented where necessary by special payment to meet particular needs. A clothing allowance is usually paid in addition, the actual amount varying according to age. i.e.,

Under 5 years, initial payment	£6	Annual Payment £4 6s. 8d.
5-10 years, initial payment	£8	
Over 10 years, initial payment	£10	

In some cases, where it was thought that the foster-mother might not be wise in her choice, the visitor chose the clothes. It was interesting that both the amount paid for maintenance and the amount for clothing was considerably less than the higher rates paid by local authorities and voluntary organisations and no allowance appeared to be made for pocket money. It must, however, be remembered that special payments were paid for any out of the ordinary expenses and the child takes to the foster-home a good outfit " three of everything " we were told. In several cases foster mothers pointed out that the payment did not really meet what was spent on the children. They were not discontented and while they would have welcomed a larger allowance they had sometimes failed to make a special claim when a special need occurred.

392. The Ministry is very generous about the giving of presents and we often heard of very attractive gifts being sent individually to each child for birthday and Christmas, a personal touch that we did not meet in the case of other boarded-out children. The foster parents were often very generous about presents and about pocket money and treats.

The Foster Homes

393. The foster homes selected for Pensions children were of very much the same standard as those noted in the case of placements by local authority or voluntary organisations. The foster fathers were as a rule skilled or semi-skilled labourers or artisans. They showed a true parental interest in the children and were prepared to share with them all the benefits of home life. The children had rooms to themselves: there was nearly always a garden to play in, and pets. In a few instances we found homes where there was only a small margin on weekly earnings and the foster parents were not finding it easy to manage on the rather low weekly allowance and had thankfully accepted gifts of clothing from other sources than the Ministry. The foster parents gave a warm welcome to the visitors and took an equal share in discussions of the children. We particularly noticed that in several cases the foster parent had tried to give the child when backward extra help with homework and the like. It was more usual to find that members of the same family had been provided for in the same foster home and it was evident that a great deal of trouble had been taken over this. In one home there were three children aged three, five and six. The foster parents talked of the children as if they expected a permanent home to be made with them.

Supervision

394. It was evident that the visitors were liked and welcomed by the foster parents who would have liked to have seen them more often than they did. In one or two homes in the rural area already referred to we were told that the " visitors are so pleased with us that they don't visit often " and that visits were infrequent unless the child was ill or a special visit was asked for. As a general rule the contact was good and the foster mothers were well aware how they could reach their visitor if they wished to do so. It was clear also that they were accustomed to talk freely to their visitor and to seek her advice about any matters which worried them.

Records

395. The office records which we saw in one area were methodically kept but not very well arranged from the standpoint of modern methods. The reports on visits were interleaved with correspondence, bills and receipts. Although brief notes were kept of all action taken it would have been difficult for a substitute worker in emergency to pick out the main information. Some of the reports showed a good understanding of the importance of personal relationships.

396. We were told that the visitor was not always sufficiently informed about the previous history of a child transferred from another area. One boy of 12 whom we saw had had a history of stealing since the age of 6 but the visitor was not in possession of the facts when she placed him. The general policy seemed to be to tell the foster mother as little as possible. Sometimes they felt that they ought to know more and for want of more were apt to over-emphasise and over-dramatise what the children told them. The confidence between the visitor and the foster parent was usually so happy that there should have been no difficulty in giving any essential information in those instances in which the foster mother's help was specially needed.

397. In all our visits to institutions, Homes and boarded out children we have noted as far as we could the quality and frequency of the inspection provided by the central departments. When it has been possible to do so we have checked our own impression with the reports made to the central department and have compared reports made of the same establishment at different periods.

Workhouses (Ministry of Health)

398. In the institutions in which we compared our impressions with the reports made by inspectors over a period of time we were impressed by the fact that although the reports were mainly critical of the same things about which we ourselves were critical, there seemed to have been very little remedy of the defects, though representations had been made to those who were responsible over a period of as long as fourteen years. It became evident too that, in spite of the failure to remedy conditions which seemed seriously damaging to the children involved, it was possible for a gap of many years to take place in the inspections, extending in one instance from several years before the war up to the year of our visit.

399. It was found that adverse reports had been made by inspectors on one nursery since August, 1931. Comments were made then that the children were unsuitably accommodated, apparently because there were nine children over the age of three in an institution not approved for their care. In 1932 a serious outbreak of ringworm had not been notified to the County Medical Officer, and the Ministry of Health communicated with him. In 1934 the presence of mentally defective children in the institution was severely criticised, as also was the fact that a boy of nine was sleeping in the men's ward. At this time the report said " The whole place seemed to me to need improvement and re-organisation." A letter was written to the Clerk of the County Council, who promised in a letter dated 8th April, 1935, that normal children of over the age of three would be removed from the institution, and that an effort would be made to transfer the mentally defective children elsewhere. The position however does not seem to have been changed in the next three years, a report in 1938 stating that the care of the children was unsatisfactory. After this entry there appears to have been a gap of six years in the inspection of the Ministry of Health, although the Board of Control had visited the adult defectives. A full report was made by a Ministry of Health inspector in February, 1945, when there were twenty-eight children present. The only criticism relating to the personal care of the children on this visit was the presence with healthy young children of an eight year old blind imbecile boy, who made hideous noises by day and night and could not be kept clothed —presumably the same boy who was still present in June, 1945, when we visited. The presence for long periods of healthy children of over the age of three in workhouses and in nurseries attached to workhouses, which was against the regulations, was strongly criticised by inspectors, but we found no evidence that their criticisms had been effective. The criticisms of inspectors on the nursery described in paragraph 144 had effected no improvement at all, although the children were removed to another nursery within two months of our visit.

Public Assistance Children's Homes (Ministry of Health)

400. The intervals between inspections of children's Homes under the local authorities had varied from 4 months to 3½ years: visits had been more frequent in the last few years. As in the case of workhouses we found that the inspectors had made most of the criticisms which we ourselves made though generally speaking they seemed much less concerned than we were

by the overcrowding, the lack of space for play and the lack of play material (a deficiency seldom mentioned) and of the bare uncomfortable appearance of the children's living rooms. It was clear that reports, even when followed by correspondence, had only to a very limited extent been effective in bringing about improvements in conditions acknowledged to be detrimental to the children. There appeared to be more consciousness of the needs of children in some recent reports by women inspectors but as these were made in wartime when material and equipment were scarce the reports were not much more effective than the earlier ones had been. On the whole the Superintendents and Matrons looked forward to visits from Inspectors and found the advice helpful.

401. We came across one institution which, like a few other Institutions taken over by the Public Health Department, was not subject to inspection at all after its transfer from the Public Assistance Authority to the Public Health Authority. There were ninety-six children in this institution, whose ages varied from under a year to fifteen years.

Voluntary Homes

402. It was perhaps hardly surprising that many of the voluntary organisations were in some doubt about the functions of the inspectors who visited their Homes and the reasons for the inspection. Some, for one reason or another, received so many inspectors that one more or less made no difference. The present dividing line between inspections by the Home Office and Ministry of Health is a movable one. If a Home in receipt of voluntary contributions ceases to be certified for Poor Law cases or happens, if uncertified, to have no child under the Poor Law living there, the inspection reverts to the Home Office. This is very puzzling to the staff. Homes which have machinery in their workrooms, or which have internal schools, or which have become approved schools or hospital schools, may be inspected by the Factory Inspectors of the Ministry of Labour, the Ministry of Education, the Home Office, the Ministry of Health or (if receiving a Pensions child) the Ministry of Pensions. Some Homes were also inspected by the inspectors of the local authority. We were not satisfied with the frequency of inspection by the Factory Inspectorate of the Ministry of Labour of laundries in voluntary Homes. Some of the Homes seemed to be unaware that they were subject to such inspection. We saw some arrangements which caused us disquiet.

403. We found however that the main bulk of voluntary Homes are inspected by the Home Office or the Ministry of Health. In many cases these inspections had taken place at long intervals and sometimes had little integral relationship with the life and work of the Homes visited. Staff were often very vague about the department responsible for inspection and attached little significance to the visits made. We did however hear of some Homes which were backward in their views and reluctant to alter their regime but which the Inspectors by tact and perseverance had succeeded in persuading to adopt more modern ideas. A small group of endowed Homes not receiving voluntary subscriptions or catering for children under the Poor Law escaped inspection altogether except as regards their school where they had internal schools. In one of these, although acting in an advisory capacity only, the Home Office inspectors had done a good deal to bring a more liberal view to the training and upbringing of the children.

Approved Schools (Home Office)

404. Home Office inspection seemed to have been carried out at least at yearly intervals at approved schools, although we visited one school in which there had been a gap of fourteen months before we called. In some

instances, no doubt for special reasons, there had been much more frequent visits. For example, in a newly established girls' school, of which we had the inspector's reports, there had been five visits from general and medical inspectors during a period of eighteen months. We were very well impressed with the thoroughness of the reports. They showed good discernment about the staff difficulties, a lively individual interest in the girls, and good sense about the practical needs of the school. During this period in which the school was becoming established there was reference in the inspector's reports to the following subjects: general and specialised medical care (also discussed with the doctors concerned); water supply; food allowances and sweet ration; domestic help; building alterations and furnishing; the provision of further cultural classes; technical instruction in gardening and cooking; arrangements for home leave for the girls; staff qualifications; methods of punishment. We came across no instance of any resentment of inspection; indeed the relations between the senior members of the staff and the inspectors seemed a very happy one. In one girls' school which had been through very troubled times the Headmistress referred to the inspector as being " a great friend ".

405. While the Ministry of Education takes some part of the inspection of the education work in approved schools the day to day responsibility rests with the Home Office. The arrangement by which the Ministry of Education advises and assists appeared to have been suspended during the war. One Junior Girls' School carrying on its own education had had no visit from the Ministry of Education in three and a half years. Another School for Senior Boys had not to the knowledge of the present headmaster had any educational inspection.

406. Inspection by the Factory Inspectors of the Ministry of Labour of machine workshops appears to be infrequent. One school had had no inspection from the Factory Inspectors and at another school there had been a gap of three years in this inspection before a recent visit.

Remand Homes (Home Office)

407. As far as we could judge the remand homes had been kept under reasonably careful vigilance by the Home Office although we were sorry to see only annual visits to one home which was in great difficulties. Improvement did not, however, appear to be very effectively brought about in the case of negligent local authorities or Committees of Management. Thus at a home, with which we were not altogether satisfied, the Home Office inspectors' reports showed clearly the extremely critical view they had held since 1940 of the remand provision for boys made by the local authority. Our visit satisfied us that some improvement had been effected but slowly and only in part. The long periods of stay due to difficulty in boarding out " fit person " cases, in finding accommodation for mentally defective boys, and in getting transfer to approved schools seem to have been causes of frequent comment in the 6-9 monthly inspectors' reports extending over a period of five years. It is worth noting that inspectors' visits were more frequent during the period in which the staffing of this Home was unsatisfactory. In another case, however, the head of a remand home thought he should have had more frequent visits from the Inspector while his Home was still in its initial stages. Of the few reports we read we noticed one which expressed concern about the long period of stay, including children who should have been boarded out by the local authority. The Inspector had urged the need for action upon the local authority departments responsible.

Hostels for Working Boys and Girls and Probation Hostels (Home Office)

408. We did not come across much evidence of inspection except at Probation Hostels which are inspected by the Home Office. The contact with inspectors was much more frequent in the case of girls' Hostels which were visited at six or nine monthly intervals than in the case of boys' Hostels which were visited annually or less frequently. We noticed several instances in which Inspectors had commented on the type of work selected and some in which advice had been given on the handling of difficult young people.

Institutions for Children suffering from Mental Illness or Mental Defect

409. All these institutions are under the inspection of the Board of Control. They must by statute be visited annually, and visits have been carried out regularly, sometimes more frequently than at the statutory intervals. In one institution two days had been spent by the Inspector on the occasion of her last visit. A Commissioner and Inspector sometimes visit together. Medical institutions are also visited by members of the local authority Mental Deficiency Committee, and in some instances by the local justices.

410. We were told of visits by the Ministry of Education in only one institution with a special school, though there may have been visits in some other institutions. We were told by one Medical Superintendent that no-one came from the Ministry of Education unless he made a special request for an inspection.

Hospitals and Homes for Physically Handicapped Children

411. At the one hospital in which inquiry was made, inspection of the educational arrangements for the children was made by the Ministry of Education medical inspector who had visited regularly before the war. She used to arrive without notice and spend a whole day at the hospital. Inspections were sometimes carried out by the local authority. The deaf and dumb Homes were inspected as special schools by the Ministry of Education at long intervals. The Home for blind babies was regularly visited by Child Protection Visitors of the local authorities, and the crippled Homes by the Ministry of Education. On the little information which we had we formed the impression that no great interest is at present shown by the government departments in these children and that much greater help might be given in the special difficulties which all these Homes for handicapped children must meet.

Boarding Out

412. Boarding out by the Public Assistance authorities is under the inspection of the Ministry of Health, whose inspectors also interest themselves in the Child Life Protection service although they are not empowered to enter the foster Homes supervised by the Public Health authority. Boarding out by Education departments acting as " fit persons " is the responsibility of the Home Office which has powers to enter foster homes. We did not gain the impression that much home visiting was being done by government departments and we regretted this because we found from our own experience that while it was quite possible for an authority to think that arrangements were satisfactory (as for instance in the matter of employment (see para. 377)) only visits to the children would show what was actually done.

413. There was a good deal of evidence that inspectors kept in close contact with local authority officials and advised generally on standards both in selection of foster parents and in selection of visitors. Both departments were exercising considerable pressure through their inspectors to secure

the appointment of trained salaried visitors. Inspectors of both departments took up special cases from time to time. In the case of children to whom the authority was acting as " fit person " difficult cases more frequently came under review because of the necessity for seeking permission for special institutional treatment instead of boarding out. We were not satisfied in all cases that permission had been sought for the use of voluntary children's Homes and in one or two discussions with local authorities which were antagonistic to boarding out we thought it likely that the inspectors did not hear of those children who had been placed in Homes.

414. There are a few general considerations in regard to inspection to which we should draw attention:—

(1) Neither before the war, nor more understandably during the war, has the frequency of inspection been adequate to maintain a real check on standards. Our inquiries showed Homes and other Institutions which had been left unvisited for as long as six years, while an interval of three years was quite usual. Recently the central departments had made efforts to visit more often and we understood that in some cases visits were being made at least once a year. Examples of more frequent inspection were the Home Office approved schools, remand homes, establishments under the Board of Control and nurseries administered by Public Assistance authorities. At the other end of the scale educational inspectors of the Ministry of Education in some cases, had never visited hospital schools in which children were being taught and rarely visited some other schools within institutions.

(2) We were impressed by the fact that although in many cases the inspectors' reports over a period of many years showed that there was then in existence the same kind of bad conditions as were apparent at our visit, the action on the report was ineffective because nothing was done locally to improve the conditions. In some cases it was clear that the inspector had made on the spot, and the department had later supported in writing, proposals for improvement (even essential proposals) which were not adopted or in some cases even considered. In other cases we felt that there was a failure to take up from the centre complaints which had been made by the inspector and that this failure might lead the officials on the spot to think that no great concern was felt.

(3) We noticed in some cases recent improvement in the quality of the reports on Children's Homes which we attributed to the increased employment of women inspectors for this work.

(4) We were concerned about what appeared to be acceptance of a low standard from time to time by some Ministries on the ground that there was no alternative accommodation available. We thought that this attitude was unlikely to stimulate local authorities to provide suitable accommodation.

(5) We found no evidence that there was resentment about the visits of inspectors. In the main, they appeared to be welcomed and in one or two places there was a feeling of misgiving because no visit had been made for some time. In some types of Homes and schools the inspectors were regarded as friends who were able to give valuable advice and who could often provide a solution on a practical plane.

GENERAL IMPRESSIONS

415. We now offer a summary of the general impressions made upon us by witnesses, and by our own survey, with regard to the existing provision made for children deprived of a normal home life. In the first place we are

far from satisfied with the immediate provision made for children coming as destitute or in need of care or protection into the care of local authorities. Some authorities indeed receive the children into establishments for temporary care where they can be studied, cleansed and cared for in an adequate and kindly way until they are placed in whatever their permanent substitute home may be but in far too many areas the child is put into a workhouse ward where there is nothing but the barest provision for his physical needs and where the staff have neither the capacity nor the time to relieve his fears, make him feel at ease or give him occupation or interest. What is more, he may remain in such unsatisfactory conditions, temporary though they are supposed to be, not only for weeks, but for months, before something better is found for him.

416. Turning to the long-term provision, it is evident that more kindly imagination, as well as more scientific thought, has gone into the arrangement and equipment of nurseries than into any other form of care for the healthy child, though a great deal remains to be done in the way of precautions which medical opinion thinks necessary for infants congregated together. Nursery schools, though as yet by no means fully developed, on the whole carry on in the same spirit, and it is evident that their extension will bring brightness and constructive occupation into the lives of the small children in public care. The provision for the older children, in Homes or boarded out, is generally speaking on a lower level both of aim and of achievement. Both these types of provision have recently caused public anxiety—the first because of assertions as to their out of date, harsh or repressive methods, the second because of actual disasters to children so provided for. We think the anxiety was justified, even though the general position is by no means so bad as particular incidents and statements might suggest. We have seen much that is good, and highly creditable to those responsible: but we have also seen much that calls for reform.

417. It is right to say in the first place, as regards Homes for children, that very little evidence, written or oral, has been tendered to us that there are seriously bad conditions in existing Homes in the sense of conditions involving neglect or harsh usage. Some witnesses have come forward to describe to us their own upbringing as inmates of Homes, and in a few instances the picture drawn was a very dark one. Even allowing for some bias and exaggeration, the treatment of these particular children had clearly not been happy or successful. It must be remarked however that the evidence related to a period of ten or more years ago and that there has been much improvement since then in methods of discipline and other conditions. The whole attitude of society to the treatment of children has been moving towards a gentler and more sympathetic approach, and we had it in evidence from a very experienced inspector that children's Homes and persons responsible for the care of the unfortunate child have shared in this development. We heard moreover other witnesses brought up in institutions who gave evidence of a different purport, even as regards the same period or earlier, and evidently regarded themselves as having been by no means unfortunate in their childhood's experiences. We ourselves have seen excellently conducted Homes run by organisations which have been attacked. We do not therefore feel justified, so far as evidence of this character is concerned, in forming conclusions adverse to the general administration of child care in any organisation or group of institutions. The witnesses in question did however bring home to us the danger, even in an organisation or under an authority with an enlightened policy, that individuals in charge of groups of children may develop harsh or repressive tendencies or false ideas of discipline, and that

the children in their care may suffer without the knowledge of the central authority. A code of rules which sets a proper standard is one necessity but it is plain that no code will suffice without regular inspection and constant watchfulness that the right atmosphere of kindness and sympathy is maintained.

418. Our own survey has given us a firmer basis for conclusions about actual present day conditions. It will be apparent from this Section of our Report that we have seen examples of almost all levels of child care, some very good, some indubitably bad. By far the greater number of Homes were, within the limits of their staffing, accommodation and administrative arrangements, reasonably well run from the standpoint of physical care, and in other ways the child has more material advantages than could have been given to him in the average poor family. Where establishments fell below a satisfactory standard, the defects were not of harshness, but rather of dirt and dreariness, drabness and over-regimentation. We found no child being cruelly used in the ordinary sense, but that was perhaps not a probable discovery on a casual visit. We did find many establishments under both local authority and voluntary management in which children were being brought up by unimaginative methods, without opportunity for developing their full capabilities and with very little brightness or interest in their surroundings. We found in fact many places where the standard of child care was no better, except in respect of disciplinary methods, than that of say 30 years ago; and we found a widespread and deplorable shortage of the right kind of staff, personally qualified and trained to provide the child with a substitute for a home background. The result in many Homes was a lack of personal interest in and affection for the children which we found shocking. The child in these Homes was not recognised as an individual with his own rights and possessions, his own life to live and his own contribution to offer. He was merely one of a large crowd, eating, playing and sleeping with the rest, without any place or possession of his own or any quiet room to which he could retreat. Still more important, he was without the feeling that there was anyone to whom he could turn who was vitally interested in his welfare or who cared for him as a person. The effect of this on the smaller children was reflected in their behaviour towards visitors, which took the form of an almost pathological clamouring for attention and petting. In the older children the effect appeared more in slowness, backwardness and lack of response, and in habits of destructiveness and want of concentration. Where individual love and care had been given, the behaviour of the children was quite different. They showed no undue interest in visitors and were easily and happily engaged in their own occupations and games.

419. Apart from the absence in many Homes of this essential element in a child's wellbeing, we have found much to criticise in accommodation, equipment and staffing. Even when full allowance is made for wartime shortages and difficulties, it is evident that in many places a higher standard needs to be set. The difference between the results achieved in what would appear to be precisely parallel conditions is often startling. Where a community is successful its success may be accounted for in one of several ways. Enlightened central direction can do much, as is apparent in the approved schools and the best of the voluntary Homes. Good local administration and the interest and support of a competent local committee can do perhaps even more. Full collaboration between the central authority and the local administration is of great importance. We noticed all these factors at one time or another as affecting the quality of a Home. But outstanding among the comments on our visits are references to the good or poor Superintendent, Matron, House mother or other member of the staff in immediate charge of

the children. On the personality and skill of these workers depends primarily the happiness of the children in their care. We have seen much admirable and devoted work by people putting their whole heart and energy into this task, sometimes in very unhelpful conditions. But such workers are too few to handle the work to be done, and some of them have had too little preparation for a very difficult task. On the whole, as we indicated in our Interim Report, this task has not been regarded as one calling for any special skill, and many of the children have suffered in consequence.

420. When we turn to boarding out, we meet a different set of inadequacies and dangers. We found in the children in the foster homes we visited almost complete freedom from the sense of deprivation which we have described among the children in Homes. Indeed the foster homes as a whole made a remarkably favourable impression. While there were some which on one ground or another we did not consider suitable places for the care of a child, there were few in which the child was not a member of the household, or did not appear to be finding affection and happiness. In some cases indeed the fostermother had become too possessive for the relation to be altogether satisfactory. The faults of foster homes are different from those of large communities and very difficult to diagnose at a casual visit. They depend on the attitude of the fosterparents to the child and the accidents of fortune in the home, and a crisis may occur which could not be anticipated from a single inspection.

421. What impressed us with regard to boarding out was the need for a greater sense of personal interest and responsibility at local authority headquarters, and for more specialist staff there; and for more trained supervisors to visit the children. There is no doubt that the O'Neill case had put authorities on their guard against slackness in administration; and we thought that the individuals in charge of boarding out in the authorities' offices were doing their best, though sometimes in a rather remote and impersonal way, to serve the interests of the children. But the present administrative system seems to us full of pitfalls. Divided responsibility, office delays, misunderstandings and misjudgments of people, irregular visiting and failure to visit promptly in emergency, may easily under present conditions facilitate a tragedy, as they have done in the past. It was moreover clear to us that it was very rare for an authority to feel that it had a choice among a number of thoroughly satisfactory foster homes, though whether more homes would have been available if a greater effort had been made to find them is not so certain. One of the counties in which we saw the most satisfactory foster homes had been able to board out only about a third of the children in the care of the council.

422. On the whole our judgment is that there is probably a greater risk of acute unhappiness in a foster home, but that a happy foster home is happier than life as generally lived in a large community. Our proposals for improving the quality of both types of substitute home will be found in the next Section of our Report.

SECTION III

CONCLUSIONS AND RECOMMENDATIONS

423. It will be sufficiently apparent from the earlier sections of our Report that the problem of providing for children deprived of a normal home life has not hitherto been dealt with as a single one, and that a large part of our task is to devise means of simplifying and unifying the exercise of public responsibility. First, however, we propose to consider whether that responsibility covers a wide enough field, or whether there are groups of children needing public care and supervision who are at present outside it; and whether also the relation between child and public authority is in all cases sufficiently close to secure the child's protection.

SCOPE OF PUBLIC CARE

424. The following groups have come under our notice as needing supervision as much as other groups which are already within the range of public care:

(i) Children over 9 years of age who have been taken under care by foster parents for reward.

The upper limit of 9 years for the child life protection service (see above paras. 70-76) is in effect arbitrary and we see no good reason for maintaining it. It is obviously unsatisfactory that there is nothing to prevent a child over 9 being placed in a home from which a child under 9 has been removed because the home is unsuitable. Nor is there in our view any ground for the relaxation of public care at so early an age as 9. The service began as an *infant* life protection service and the age limit, originally 5, was raised to 7 years in 1908 and to 9 by the Children and Young Persons Act, 1932, following on the recommendations of the Tomlin Committee on Child Adoption. We desire to see the age limit for the child life protection service raised to 16 years so that the child may be under supervision until he has left school. A large proportion of our witnesses have pressed for this extension.

(ii) Children taken into care by foster parents without reward, whether with a view to adoption or not.

We have had a good deal of evidence that illegitimate children are handed over at birth to women who are willing to take them without payment, and unless there is a subsequent application to adopt, no inquiry is made by any public authority into the character of the home or the foster parents. If reward were received the foster parents would be obliged to notify the proposed reception of the child (if under 9 years of age) to the welfare authority and the home would be inspected by the child protection visitor. This appears to us to be equally necessary where there is no reward, except in the case of near relatives or where the child is received for a temporary purpose only, and we recommend that the service be extended accordingly. The Ministry of Health has already, in 1943, drawn the attention of welfare authorities to the problems arising under war conditions in regard to illegitimate children, and has asked them to submit schemes for co-operating with voluntary agencies in the supervision of the children by trained social workers. Our proposal goes further, and would ensure that the individual child's welfare would be the responsibility of the authority equally with that of fostered children taken for reward. There is another

special mention, viz. orphans in respect of whom orphans' pensions are payable and fatherless children in respect of whom allowances are payable to persons other than the mothers, under the Widows Orphans and Old Age Contributory Pensions Acts. The Minister of National Insurance is responsible under the Acts for payment to the " guardian or other person having charge of the child ", but has no powers of supervision or control directed to the general welfare of the child. Having arranged for the payment of the pension or allowance in the first instance to a suitable recipient, the Ministry is not further concerned unless the recipient dies or becomes disqualified, or unless representations are made by a local authority or otherwise that it would be in the child's interest for the payments to be made to some other person. So far as we can discover it has never been established that the receipt of a pension or allowance in respect of a child constitutes " reward " within the meaning of Section 206 of the Public Health Act, 1936, and we have been advised that this would be a question for the decision of the Court in each individual case. These children therefore normally escape the supervision of the child life protection service. The new National Insurance Act which became law while our Report was in draft provides for the payment of a " guardian's allowance " of 12s. a week to a person who has an orphan child in his family, but under that Act also the Minister will have no powers of supervision and control directed to the general welfare of the child. It has been urged on us with some force that civil orphans should receive from some authority the same oversight that war orphans receive from the Ministry of Pensions. Our recommendation will bring them, with the exceptions mentioned, within the scope of the child life protection service, and the local authority will have the duty of supervision. We recommend that in all cases where the payment of a child's pension is made to a person other than the mother, a close relative or the legal guardian, the Ministry of National Insurance should be required to notify the local authority. Children placed for adoption, other than those under 9 placed with the participation of a third party, are not at present covered by public supervision. We recommend that such supervision be extended to cover those of all ages, however placed.

(iii) Children in voluntary Homes not now inspected by any public department.

As we mentioned above in paragraph 69 voluntary Homes not registered with the Home Office escape inspection unless for some particular reason they are inspected by another Department. We have made careful enquiry as to the number of such Homes, but for obvious reasons it is impossible to obtain precise information. Our official witnesses, however, assure us that the problem is of very small dimensions, since most Homes either solicit subscriptions from the public or are of sufficiently good reputation to be used by public authorities with the consent of the Ministry of Health for placing Poor Law children. We recommend that all homes taking full custody of children should be registered and inspected by the central department.

425. As regards the degree of responsibility taken by the State or other public authority, we are not satisfied that this is sufficient in the following circumstances:

(i) Children found by a Juvenile Court to be in need of care or protection. These at present need not be accepted by the local authority to

a Court decides that the rights and duties of a parent should be transferred to another " person " and that the local authority is the right " person " to assume those rights and duties, they should be imposed on the authority without opportunity of refusal.

(ii) Orphans and children deserted by their parents.

We consider that every orphan or deserted child coming within the range of public care should have a legal guardian to take the major decisions in his life and to feel full responsibility for his welfare. Apart from the cases where the Court commits a child to a local authority as a " fit person ", those in which the authority are managers of an approved school to which the child is committed and those in which the authority assumes guardianship under the Poor Law Act, 1930, of a child maintained by it, there is no relation of legal guardianship between the authority and the child. We do not suggest that in every case the authority is the proper guardian, but we consider that the authority should be responsible for raising the question of guardianship in the cases where it takes responsibility for the child's welfare which, if our recommendations are approved, will be far more numerous than at present; and that failing a suitable relative, for whom inquiry should be made, or the Head of an approved voluntary Home which has the child under care, the authority itself should apply for appointment as guardian. The legal procedure by which guardians can be appointed appears to us to need revision. We do not favour the assumption of parental rights by a local authority under Section 52 of the Poor Law Act, 1930, by mere resolution, without an initial application to a Court. We think it objectionable (even though in practice the Section may have worked satisfactorily or at any rate without criticism) that the rights of a parent or other guardian should be extinguished by a mere resolution of a Council. Even if extra publicity and work were involved in court proceedings, we are of opinion that they would be more than counterbalanced by the value of an impartial and detached judicial inquiry at the outset directed to the paramount welfare of the child. We understand that at present no statutory provisions exist in the Guardianship of Infants Acts, 1886 and 1925, or elsewhere which confer on any Court the power to appoint a legal guardian (as opposed to making a custody order in certain cases) where a child is already without a natural or testamentary guardian; and that in such a case the only resort is to the inherent jurisdiction of the Chancery Division of the High Court. For reasons of expense and distance this is not practicable in regard to the children with whom we are concerned, or their relatives. We recommend that the statutory jurisdiction to appoint guardians should be extended (*a*) so as to enable a legal guardian to be appointed by a Court not merely where another is being removed or superseded under Section 6 of the Guardianship of Infants Act, 1925, but also where a child has no natural or testamentary guardian at all; (*b*) so as to ensure that this extended statutory jurisdiction is exercisable by County Courts and Magistrates (Juvenile) Courts as well as by the High Court. If this simple procedure were available it might often make possible a stable relation short of adoption between a good foster parent and a child. The protection of the child against resumption of parental rights by undesirable parents would also be easier than under the Custody of Children Act, 1891.

426. The necessary statistical material is not available for an estimate of the number of children which our recommendations would add to the total shown on p. 27 to be within the scope of public care, but we should suppose that the new total would be between 150,000 and 200,000.

THE SUBSTITUTE HOME

427. The need of the deprived child is for a home or a good substitute for a home, and it is to the question of the quality of the homes now provided and the possibility of improving on them that we have addressed ourselves. If the substitute home is to give the child what he gets from a good normal home it must supply—

(i) Affection and personal interest; understanding of his defects; care for his future; respect for his personality and regard for his self esteem.

(ii) Stability; the feeling that he can expect to remain with those who will continue to care for him till he goes out into the world on his own feet.

(iii) Opportunity of making the best of his ability and aptitudes, whatever they may be, as such opportunity is made available to the child in the normal home.

(iv) A share in the common life of a small group of people in a homely environment.

Some at least of these needs are supplied by the child's own home even if it is not in all respects a good one; it is a very serious responsibility to make provision for him to be brought up elsewhere without assurance that they can be supplied by the environment to which he is removed.

428. Section II of our Report makes it clear that we are by no means satisfied with the way in which the responsibility for finding the child a substitute home is at present discharged. Much good work is being done, but the standard is so variable and at the lower level so poor, that a determined effort must be made to lift the whole treatment of the child without a home on to a new, more even, and higher level. We see no reason to regard this as an insuperable or even a very difficult task and we are glad to record a very large extent of unanimity among our witnesses—local authorities, representatives of various organisations and private individuals—as to the principal measures necessary. Where there is failure, it is due in the main to faults of administration and imperfect selection and training of staff. Our remedies, which we are confident will deal with the situation, lie, therefore, mainly in the sphere of administration and personnel.

PRESENT DISTRIBUTION OF RESPONSIBILITY

429. The present distribution of responsibility among Government Departments first calls for attention. So far as the normal healthy child is concerned it does not as a whole bear any obvious relation to the primary functions of the Departments, and it is an easy target for criticism. The evidence is that in practice it is regarded by local authorities and voluntary organisations as confusing and tending to imperfect administration. It is obvious that there is much scope for inconsistency of treatment. An outstanding example of this is that the Ministry of Health and the Home Office have both issued boarding out rules which have the force of law, one set under the Poor Law Act, 1930, and the other under the Children and Young Persons Act, 1933, but that the provisions of these have not hitherto been identical.* The evidence in the O'Neill case† indicated the danger that where the rules differed the lower standard of the two would be adopted for working purposes. There is the further difficulty that different statutory committees of the local authority concerned (generally the county council or the county borough

* The rules are now we understand being assimilated

council, but in some cases the smaller authorities designated as welfare authorities) may be handling independently almost precisely similar problems. One of the committees is the Education Committee, which primarily works with a government department other than that responsible for administering the particular Act concerned. Not only this committee and the Public Assistance Committee, but the voluntary organisations may be competing in a particular neighbourhood for suitable homes for boarding out children. A woman with two foster children may for example be visited by an officer of the Public Assistance Committee to supervise one child and by a child protection officer acting under the Public Health Committee to supervise the other. It may be added that the central departments each maintain their own inspectors who may be associated with such a visit.

430. We have considered the arguments of those who urge that the upbringing of all deprived children should be a direct State responsibility exercised through officers of a central department, as it is for example in the case of the war orphans supervised by the Ministry of Pensions, as opposed to a delegated task performed by local authorities and other agencies. We do not think that this would be the right method of handling the problem. The numbers of war orphans are small and the children can be thought of as individuals in the central office. Where the numbers are so large as those we are now considering a central office would tend to regard them rather as entries in a card index.

431. We think that constant local interest in the children of a locality is a very important element in their welfare, and that the local authority should not be divested of responsibility for its own children who are without normal homes. The children should on the contrary be absorbed to the greatest possible extent in the life of the neighbourhood. There is the further point that the authority with immediate responsibility for their welfare in any area would be bound to work with the local Education and Public Health Committees and should therefore normally be of similar standing to those committees and should have constant contact with them. Some of the cases arise from the housing conditions in the local authority's own area; some are the products of a deplorably low standard of cleanliness among the householders, or a low standard of behaviour of the girls and women. These are matters in which the local authority is bound to interest itself, and we are confident that all progressive authorities would wish to be fully responsible for providing the child with a substitute home when it has proved impossible to maintain him in his own.

RECOMMENDATIONS REGARDING RESPONSIBILITY

432. The ultimate responsibility should in our opinion be with one central department which would define requirements, maintain standards, advise and assist those taking immediate responsibility for the care of children and act as a clearing house for progressive ideas. The actual provision, except for some special groups of abnormal children, should remain a matter for the local authorities and the voluntary organisations. The local authority concerned would not necessarily be the authority now responsible for any one group; for one thing it would have to be large enough to employ the right type of executive officer. We desire to say at the outset that while many authorities have done and are doing admirable work in some respects, we are by no means satisfied that all local authorities have dealt with this matter as it ought to be dealt with. Some lapses are within the public knowledge, others—too many—have come to our notice in the course of our investigations. We feel very strongly that the means at present available to central departments for bringing sub-standard authorities up to the level of the best where inspection and exhortation have failed are either insufficient

or not used Over and over again we have found that the faults we have discovered in visiting a children's Home were observed by inspectors some years before and duly brought to the authority's notice but that nothing was done. The quality of recent inspection seems to us on the whole good, though its frequency has been reduced too much by war conditions: it is the enforcement that is at fault. The Ministry of Health has wide order-making powers under the Poor Law Act (Sections 1 and 136), but the relations of the Ministry with the local authorities seem to be persuasive and advisory rather than mandatory. Members of a local authority may be surcharged by the District Auditor if it overspends, but there is no penalty, short of the odium of a public inquiry, attached to underspending. The Ministry formerly had power to replace Boards of Guardians by nominees of the Minister, but this power lapsed in 1930 when the Boards of Guardians were replaced by county and county borough councils. Under Section 13 of the Poor Law Act the Minister may remove or suspend an officer of the authority who is negligent or incompetent, but this is no remedy when the policy of the authority is at fault. The position on the side of education is on paper better. Under the Education Act, 1944, the Minister of Education may, if satisfied that a local authority has failed to discharge any duty imposed on it by the Act, declare the authority to be in default, and give directions enforceable by mandamus. We recommend that equivalent powers be given to the Minister on whom is placed the responsibility for the care of deprived children. The principal means of maintaining standards will, however, in our view, be the power to hold public inquiry. In a matter of such interest to the public this should be effective, and it should be resorted to without hesitation in case of need. We should mention here that we assume that all the various services to the deprived child will in future be subject to Exchequer grant, and that this will relieve difficulties arising from the small financial resources of certain authorities.

VOLUNTARY ORGANISATIONS

433. As regards the voluntary organisations, the best of these have excellent standards and ample funds to support them. The less good should be brought up to the right standard by the central department armed with full powers of inspection and direction, and where this cannot be done, they should be prohibited from continuing their activities. The principle of utilising voluntary help to the full in spheres in which the State or local government is active is well established in this country, and we see no reason for departing from it in this particular connection. We recommend however, that in so far as voluntary Homes taking full custody of children are not registered and inspected by Government Departments, they should be so registered and inspected. At present registration is confined to those voluntary Homes receiving subscriptions from the public. We should like to see steps taken to bring the smaller independent children's Homes and orphanages into association (not necessarily amalgamation) with the larger organisations, which have a consistent and publicly announced policy and the means for carrying it out; we are informed that there is already some movement in that direction. There are large numbers of Catholic Homes and orphanages under no central administration, the Catholic Child Welfare Council being a consultative body and the Homes and institutions in each diocese being under the supervision of the Bishop of the diocese. We desire moreover to see the voluntary service more closely integrated with the public service. The principle of inspection of voluntary Homes by officers of central departments is well established, and the power of the responsible Minister (now the Home Secretary) to serve directions on any Home in which the treatment is unsatisfactory and to follow this up in the event of non-compliance by applying for a Court order for the removal of the children, should be

adequate as a means of maintaining standards. Greater local collaboration would however be an advantage, and we shall have some suggestions to make as regards liaison between the voluntary Homes and the committee of the local authority primarily responsible for the children's welfare. Subject to these proposals we think the voluntary organisations should be left to function as at present but under statutory rules laid down by the central department, neglect of which would make them liable to be closed. They are not of course quite independent of, or detached from, local authorities in existing conditions. Upwards of 200 voluntary Homes, including most of the branches of the large national organisations are certified by the Minister of Health for the reception of Poor Law children, and are open to inspection both by the Ministry and by the local authorities who place children with them. The voluntary organisations and the local education authorities take parallel responsibilities in the provision of approved schools, and Juvenile Courts commit children to voluntary organisations, as well as to local authorities as " fit persons ". Some of our official witnesses paid the voluntary organisations high tributes for their enterprise and pioneering spirit, and we ourselves have seen fine examples of their work. On the other hand some of their many branches at times fall below a satisfactory standard, and it would be all to the good to supplement their central control by the visits and advice of the officer of the local authority as would be done by our proposed extension of the child life protection service. In the case of small independent voluntary Homes such contact is even more desirable. The opening of new voluntary Homes in excess of the requirements of the district or group to be served would also come under notice by this means, and be brought to the notice of the central department if necessary.

CENTRAL AUTHORITY

434. We do not accept the view urged by some of our witnesses that a single department should be responsible for every aspect of the life of the deprived child. The principle of defining the functions of Government Departments by the groups of people they look after rather than by the nature of the work they do seems to us wrong: in this case we think it would also be administratively clumsy. We feel too that to consign these children for all purposes to the care of a single Ministry would be to emphasise what we wish to minimise—the extent to which they are marked off from other children. We think that they should come within the purview of the Ministry of Education for education in the same way as children living with their parents, and that they should be subject to the health supervision of the Ministry of Health in the same way as the normal child is subject to it, and that if physically or mentally handicapped, they should be treated as other children under these handicaps are treated by the responsible department—e.g., the Ministry of Education or the Board of Control. If they are delinquent in the sense of requiring penal treatment, the department responsible for such treatment (the Home Office) must prescribe the treatment for them. The missing element in the lives of these children is the home background, and we consider that all the children in whose lives that has ceased to exist or ceased to count should be brought under the supervision of a single department. Which department is a question which must be settled on another level, and it does not seem to us to be so important as the achievement of unification. The duty no doubt impinges on the functions on the one side of the Ministry of Health as the department responsible for the bodily welfare of children, and on the other side of the Ministry of Education which is the department responsible for children's mental training and to an increasing extent for domiciliary provision for those pupils needing it; whereas the Home Office has already developed to a considerable extent the study of the

substitute home. We would only urge that whichever department undertakes the work, it should have a Children's Branch making a special study of child welfare on the side of the home, without specialist bias on any side, and an inspectorate able to judge whether the conditions for the child's total welfare as a human being exist in a particular case. The responsible Minister might be well advised to appoint an Advisory Council to keep him in touch with developments in outside expert opinion on the subject of child care.

435. The Children's Branch in the selected department would take full responsibility, in so far as this falls on the central government, for the destitute child, the child in need of care or protection committed by the Juvenile Courts to the local authority as a " fit person," the illegitimate child whose mother is unable to support him, the child in a voluntary Home, the child in a foster home and the child placed for adoption. We think that the care of deprived children now supervised by the Ministry of Pensions should properly also belong to the selected department, but in view of the fact that this is a disappearing charge and the care of the children is governed by special financial and other conditions, we think the transfer should be postponed until reasons of economy and administrative efficiency make the Pensions machinery clearly obsolete. In the meantime as much use as possible should be made by the Ministry of Pensions of the visitors of the children's organisation which we recommend and the code of Rules for boarded out children should apply to war orphans as to others. Legislation would of course be necessary to give the central department selected those relevant powers under the Poor Law Act, the Children and Young Persons Acts, the Public Health Act and the Adoption of Children Acts, which do not at present belong to it, as well as the new powers we propose. The broad responsibility of the central department will be to see that all deprived children have an upbringing likely to make them sound and happy citizens and that they have all the chances, educational and vocational, of making a good start in life that are open to children in normal homes.

436. One of the most important means at the disposal of the central department for enforcing its standards and assisting local authorities and voluntary organisations in the work of child care is inspection. We consider that children's Homes of all types should be inspected at least once a year, and more often if they require special attention; and we recommend that the inspecting staff shall be brought up to the number required to maintain this standard of frequency, and in addition to cover the inspection of foster homes and the work of boarding out visitors.

437. One of the first tasks of the central department will be to co-ordinate and complete in collaboration with local authorities the information regarding children's Homes now in existence, their management, character and capacity, which is at present divided between two departments, and to arrange for it to be kept up to date. Our experience has shown that the information at departmental headquarters at present is by no means exhaustive or even always reliable. No doubt war conditions have led to many unreported changes in the position.

LOCAL AUTHORITY

438. Turning now to the local authority aspect, the existing confusion is in our opinion even more acute and dangerous than in the sphere of central government. The local authority for one purpose, e.g., child life protection, may be different from the local authority for another purpose, e.g., public assistance, and under a particular authority there may be a division of responsibility among those committees. This may lead to a position in which no one feels actively and personally responsible for the welfare of the individual child,

and in which, as we have heard in evidence, there may even be wrangles between committees as to who shall bear the cost of his support while the child is left without proper care. We consider that all the children without a normal home life coming within the central department's sphere in a particular area should be under the care of the county or county borough council, and under one committee of the council, subject always to the continuance of the voluntary organisations' present activities. The co-option of representatives of voluntary organisations on the committee is in our opinion most desirable, and we think it should be open to the committee to co-opt within narrow limits of numbers other skilled and experienced persons.

439. We have had evidence that many county councils and county borough councils share our view that a single committee should be responsible and are moving in that direction. They are also to some extent tending to remove the care of these children from the sphere of public assistance. Both law and government administration have assisted this development. The Local Government Act, 1929, required the councils to prepare administrative schemes which provided for giving assistance where possible otherwise than through the Poor Law. Under the Poor Law Act, 1930, the councils may, in their administrative schemes, assign the work of the Public Assistance Committee to any other committee of the council. A number of such assignments have been made in respect of the care of deprived children. Where this has been done the most general practice is to hand over the children under five years of age to the Maternity and Child Welfare Committee and those over five to the Education Committee, though the London County Council has till recently made the division at three years and now makes it at two; and some councils have handed over the whole of the care of poor children separated from their parents to the Maternity and Child Welfare Committee or the Public Health Committee. There are some transfers in the other direction, the Public Assistance Committee acting for the Education Committee in boarding out children under the Children and Young Persons Act. We were informed that in fifteen counties and eleven county boroughs full co-ordination of the boarding out arrangements is achieved. It is notable than in two cases, Nottingham and Lancashire, there is a single committee for the care of the deprived child. In Nottingham it is a joint committee of the Maternity and Child Welfare Committee and the Education Committee; in Lancashire a completely *ad hoc* committee. We are clear that all these are moves in the right direction, and that there should be one and only one responsible committee to exercise the duty of care of children deprived of a normal home life. As to which committee this should be we have had conflicting advice. The one point of agreement is that it should not be the Public Assistance Committee or be capable of being described as the Public Assistance Committee under another name. Apart from the expectation that in accordance with the announced intentions of the Government the part of the Poor Law relating to children will shortly disappear, we find a strong impression that the stigma attached to Public Assistance even if called, as it often now is, Social Welfare, is so deeply ingrained that only a completely new approach will enable the authorities to keep clear of it. As between the other existing committees concerned with the care of children, we have received very strong representations that the whole of the work, at all events for children over the age of two, should be entrusted to the Education Committee of the council. It is pointed out by those who take this view that the Education Act, 1944, entrusts the local education authority with the education of children over the age of two and gives it powers to provide residential accommodation for such children; the duty of home-finding for those children who need it would be in line with these functions and easily combined with them. For the infants it has been urged that the Maternity and Child Welfare Committee, which already provides residential nurseries, should take full responsibility. In opposition to these arguments it has been pointed out that to transfer a child from one committee's sphere to another, especially while it is an infant or a very small child, is not in the child's best interests, which demand continuity of treatment and if possible of surroundings and human relations. It is suggested moreover that the Education Committee being mainly concerned with education of the mind and dealing as it does with constantly increasing duties, may fail to recognise the importance of home-finding and in consequence may tend to treat it as a side issue and to deal with it through office staff.

440. After carefully considering these arguments we favour the establishment of an *ad hoc* committee reporting direct to the council. Such a committee would no doubt contain members experienced in the work of the Public Assistance, Public Health and Education Committees, but would not be in any way representative of or subordinate to those committees (should the Public Assistance Committee be still in existence). This Children's Committee would take the responsibilities that now fall to the council in respect of children not in their own homes under the Poor Law Act, the Public Health Act, the Children and Young Persons Act and the Adoption of Children Acts, and would become responsible for boarding out children where necessary. It would consider the needs of its area for residential accommodation for deprived children and make the necessary provision. It would manage the children's Homes, the approved schools and the remand homes provided by the authority. The combination of boarding out responsibility and the control of children's Homes under one committee is, we think, essential. Children may well be housed in the Homes in preparation for boarding out and should be under the same authority and supervision. The committee would also assume any additional responsibilities arising out of our recommendations for the extension of public responsibility. It would not be in a position, as the local authority is at present, to refuse to accept responsibility for children in need of care and protection.*

CHILDREN'S OFFICER

441. Our preference for the single *ad hoc* committee with power to make recommendations and submit estimates direct to the council is based in part on the need we feel for emphasising the function of home-finding as something separate and distinct from the education and health services given to all children; but in part also on our desire that it should have

* Its functions would thus be—

(*a*) The provision and administration of residential Homes for deprived children.
(*b*) The boarding out of children now undertaken by the Public Assistance Committee under the Poor Law Act and the Education Committee under the Children and Young Persons Act. Approval of foster homes for other boarding out agencies.
(*c*) All functions of the local authority with regard to adoption.
  (i) Acting as guardian *ad litem* where the local authority is so appointed by the Court.
  (ii) Investigating the circumstances in cases of private placing for adoption under Section 7 of the Adoption of Children (Regulation) Act 1939, as amended if our recommendations are approved.
  (iii) The registration of adoption societies.
(*d*) The supervision of children placed with foster mothers under the child life protection provisions of the Public Health Acts (as extended if our recommendations are approved).
(*e*) The keeping of records relating to all deprived children in its area including those whom the committee has boarded out or sent to special establishments outside the area, and particulars of those in the care of voluntary organisations.
(*f*) The appointment of a Children's Officer and the necessary number of boarding out visitors.
(*g*) After care of deprived children for whom it is responsible.

its own executive officer with the standing of an important administrative official of the council, in direct touch with the responsible committee, not a member of the staff of the Education Officer or other head of department, however closely linked with existing departments for purposes of office administration. Needless to say we should regard such close links as indispensable. All the services of the health and education departments should be available to the Children's Officer at need, for example the organiser of school meals as dietetic adviser for the children's Homes, the handicrafts and youth club specialists for the organisation of recreational activities there, and the Health Visitors for advice about children's health. We desire, however, to see the responsibility for the welfare of the deprived children definitely laid on a Children's Officer. This may indeed be said to be our solution of the problem referred to us. Throughout our investigation we have been increasingly impressed by the need for the personal element in the care of children, which Sir Walter Monckton emphasised in his report on the O'Neill case. No office staff dealing with them as case papers can do the work we want done—work which is in part administrative, but also in large part field work, involving many personal contacts and the solution of problems by direct methods, in particular the method of interview rather than official correspondence. All the persons who deal with the child—the Superintendent of the Home, the foster parent and the school teacher—should be known as human beings to the officer of the authority to whom the care of that particular child has been assigned.

442. So important do we think it that a Children's Officer should be appointed and should be an officer of high standing and qualifications, that where the children in an area are not numerous enough to provide a full load of work we think authorities should combine and set up a Joint Children's Board with a joint executive officer. Some of the counties might well combine for this purpose with the county boroughs within their limits. There is something absurd about two officials in different streets of the same town boarding out children, one on behalf of the borough, the other on behalf of the county. Even combined, some of these areas would not, on the present basis, provide a case load for a very responsible officer; the load would, however, be increased if our recommendations with regard to widening the scope of public care were adopted. We have no desire to fix a hard and fast limit, but we think that an area with less than 500 children in the classes requiring periodical visiting should prima facie be combined with another area. The Joint Board should exercise all the functions in relation to deprived children which in the case of a county or county borough council would be exercised through the Children's Committee, including the administration of the children's Homes in the area.

443. As we envisage the revised organisation which we recommend, the Children's Officer would be its pivot. She (we use the feminine pronoun not with any aim of excluding men from these posts but because we think it may be found that the majority of persons suitable for the work are women) will of course work under the orders of her committee or board, but she will be a specialist in child care as the Medical Officer of Health is a specialist in his own province and the Director of Education is in his; and she will have no other duties to distract her interests. She would represent the council in its parental functions. The committal of the child to the care of a council which takes over parental rights and duties is not without incongruity. To be properly exercised the responsibility must be delegated to an individual, and that individual one whose training has fitted her for child care and whose whole attention is given to it. Though committal by the Court to a " fit person " should, in order to secure continuity

and relieve the officer of an undue burden of liability, be still made to the authority, the Children's Officer would be the *person* to whom the child would look as guardian.

444. Orphan children not living with legal guardians or near relatives would be her care as war orphans are now the care of the Ministry of Pensions officer. Children would be brought to her notice by the police, relieving officers (or the equivalent under any new arrangement for public assistance), parents, voluntary organisations, and the National Society for the Prevention of Cruelty to Children. She would keep full and careful records of all deprived children for whom her authority is responsible, she would place them in suitable homes where necessary and would care for their welfare until they were independent. All placings of children in foster homes not through her office, whether for reward or not, and whether or not with a view to adoption, would be notified to her, and she would be responsible for the supervision of the children. She would also watch over the welfare of the illegitimate children in the area. She would be notified of all children placed in the voluntary Homes in her area and would arrange for them to be visited. She would maintain close contact with voluntary organisations operating in her area. She would be directly responsible, under her committee, for admissions of children to all Homes in the area owned or managed by the local authority and for the maintenance of these Homes at a proper standard. She would apply in suitable cases to the local education authority for the admission of deprived children to boarding-schools. She would keep a list of suitable foster homes for boarding out and inspect those homes or arrange for their inspection. Other local authorities would not board out in the area except through her and on the understanding that the local Children's Committee would undertake the supervision of these children. She would maintain a record of children for whom her committee was responsible who had been placed in another area, and arrange for them to be visited by the Children's Officer of that area. She would be responsible for the supervision of the staff of the local authority's children's Homes and would have a staff of women and probably at least one man performing the present functions of boarding out visitors and child protection visitors, as well as suitable clerical staff. Though the Children's Officer would be responsible to the committee of her local authority we think it important that her qualifications should be approved by the central department before her appointment and also that she should make an annual report to her committee which should be presented to the council and forwarded to the central department. We should hope that when the organisation we recommend is well established, the Children's Officer would be so well known in her area as the authority on children's welfare questions that individual difficulties and problems would be brought to her as a matter of course.

445. We attach great importance to establishing and maintaining a continuing personal relation between the child deprived of a home and the official of the local authority responsible for looking after him. This relation with officials of a central department has been achieved by the Ministry of Pensions for its war orphans. It will not be practicable for the Children's Officer of a large county council or county borough council to know and keep in personal touch with all the children under her care, and she should therefore aim at allocating a group of children definitely to each of her subordinates. The subordinate officer would, subject to accidents, illness, change of employment, and the incidence of retirement, be the friend of those particular children through their childhood and adolescence up to the age of sixteen or eighteen as the case might be.

446. The Children's Officer should in our view be highly qualified academically, if possible a graduate who has also a social science diploma. She should not be under thirty at the time of appointment and should have had some experience of work with children. She should have marked administrative capacity and be able readily to grasp local government procedure and to work easily with local authority committees. Her essential qualifications, however, would be on the personal side. She should be genial and friendly in manner and able to set both children and adults at their ease. She should have a strong interest in the welfare of children and enough faith and enthusiasm to be ready to try methods new and old of compensating by care and affection those who have had a bad start in life. She should have very high standards of physical and moral welfare, but should be flexible enough in temperament to avoid a sterile institutional correctness.

HOME-FINDING FOR THE NORMAL CHILD

447. We now turn to the various methods which would be open to the authority through its Children's Officer of dealing, independently or in collaboration with voluntary organisations, with the normal healthy child deprived of a home; and we wish to emphasise once more the extreme seriousness of taking a child away from even an indifferent home. Every effort should be made to keep the child in its home, or with its mother if it is illegitimate, provided that the home is or can be made reasonably satisfactory. The aim of the authority must be to find something better—indeed much better—if it takes the responsibility of providing a substitute home. The methods which should be available may be treated under three main heads of adoption, boarding out and residence in communities. We have placed these in the order in which, subject to the safeguards we propose and to consideration of the needs of the individual, they seem to us to secure the welfare and happiness of the child.

ADOPTION

448. Adoption is a method of home-finding specially appropriate to the child who has finally lost his own parents by death, desertion, or their misconduct, and in a secondary degree to the illegitimate child whose mother is unable or unwilling to maintain him. If it is successful it is the most completely satisfactory method of providing a substitute home. It gives the child new parents, with all the parents' rights and responsibilities, who take the place of the real parents so far as human nature allows. Since the Adoption of Children Act of 1926 the number of legal adoptions has been going up by large percentages nearly every year, and the increase between 1944 and 1945 was of the order of 25 per cent. The number in the latter year was 16,357. We were informed by one local authority that there were many more would-be adopters than suitable children available. There is no statistical evidence of the percentage of happy results, but in the absence of evidence to the contrary it is reasonable to suppose that in the large majority of cases the connection turns out well. We investigated a suggestion that an abnormally large proportion of children in approved schools were adopted children. An inquiry covering a sample of 11,000 boys in approved schools does not indicate that there is any significant difference between the proportion of adopted children coming into these schools and in the general population. There are of course cases in which adoption is not successful, either through the development of some mental or physical defect in the child or through a change of heart in adopters whose motives in the first instance were perhaps not free from self-interest. One of the large voluntary organisations told us that the proportion of adopted children among those for whom admission to their Homes was sought seemed high. The failures of which we have heard point to the need for rigorous investigation

before a final decision is made, and the anxiety which has been expressed to us by social workers is partly on this score, and partly on the ground that where proposed adoptions come to nothing because no application for an adoption order is made or because the order is refused there is no guarantee that the child will be removed from the home of the adoptive parents which may be quite unfit for it.

449. The work of adoption societies was reviewed in 1937 by a Departmental Committee under the Chairmanship of Miss Horsbrugh and was subsequently regulated by the Adoption of Children (Regulation) Act, 1939, which came into effect in 1943. It is too soon to review the working of that Act, and we do not wish to make any recommendations with regard to adoption societies other than that they should notify the placing of a child to the appropriate local authority. Some of them already do so, and indeed use the authority's Health Visitors to inspect the home. The extension of the range of notification should bring to light any laxities in the practice of particular adoption societies and make it possible—as it is desirable—for these to be brought under the notice of the local authority which has registered the society. Most of our witnesses dealing with adoption have pressed for the application to other methods of adoption of the precautions required for adoption society placings: these by implication therefore are generally regarded as adequate. Only a small proportion of legal adoptions (under 25 per cent. in 1944) are however arranged by adoption societies. The rest are arranged by the parent direct, by a " third party " or by a local authority. In the " third party " case there is a provision in the Adoption of Children (Regulation) Act for notifying the welfare authority of the placing of a child under 9 years of age, and for the investigation of the circumstances by the child protection visitor of the local authority under provisions similar to those of the child life protection service. In the case of adoptions arranged by the local authority such precautions are no doubt taken as the authority thinks proper. But in a private placing by a parent there is no public supervision or investigation unless and until an application for an adoption order is made, and the danger to the child is as great, if not greater, than Miss Horsbrugh's Committee found to exist in the case of children placed by adoption societies.

450. We think that the interests of the child require in all cases (1) a probationary period to enable the adopters to test their own inclinations and make certain that they can really give a parent's care and affection to the child; (2) some degree of public supervision during that period; (3) some provision for removing the child from an unsatisfactory home and finding it a home elsewhere, either during the probationary period or when an adoption order has been asked for and refused.

451. A probationary period (3 months) is required in adoption society cases before an order can be applied for, and a further 3 months are allowed before it must be applied for or the child returned. Local authorities have power under the Poor Law Act, Section 52, sub-section 7, to arrange *de facto* adoptions with a period of probation up to 3 years in length. Some authorities we understand require an adoption order to be applied for in such cases after a period of not more than 6 months. For private and third party adoptions there is no prescribed period of probation, unless the Court makes an interim order. We recommend that the Court should in all cases, however they may have been arranged, require evidence of a successful probationary period of residence of at least 3 months before a decision is given, with an extension of the period to not more than 6 months at its discretion. It is of course open to the Court to make an interim order where longer probation seems desirable, as it well may be in the case of

very young children suspected of physical or mental defects. We are advised, however, that with developing medical skill and an increase in the number of qualified practitioners it will be possible to diagnose such defects with confidence when the infant is 9 months old, or even as early as six months.

452. During the probationary period all children placed with a view to adoption should in our opinion come under the supervision of the Children's Officer, though the degree and method of supervision might vary in the different cases. If our recommendations in paragraph 424 are adopted the person receiving the child for other than temporary purposes, whether it is under or over 9 years of age, unless he or she is a near relative, would be obliged to notify the fact to the local authority (Children's Committee). This would apply whatever agency had placed the child, and we consider that the Children's Officer should have the home inspected, and visited periodically during the probation period (unless she is satisfied that supervision by officers of an adoption society is being efficiently done) and should equip herself to supply all necessary information when the matter comes before the Court.

453. The 1926 Act obliges the Court in dealing with an application for an adoption order to appoint a guardian *ad litem* to make the necessary inquiries and represent the interests of the child. The appointment of a Children's Officer with appropriate staff would make it natural for the magistrates to appoint her or one of her subordinates as the guardian *ad litem*, rather than members of the local authority's staff without special qualifications for the work, who we understand are sometimes employed at present. We think that the magistrates should be advised to do this, except in a case where the local authority, through its children's officer, has itself arranged the adoption; in such cases the spirit of the statute requires that an independent person should be appointed guardian *ad litem*. It has been suggested to us that the reports of guardians *ad litem* are often perfunctory. If so, it is for the Courts to insist on fuller investigation. We can only stress the importance of seeing that such investigation is made and using the right agents for making it.

454. We think it highly important to clarify the position as regards the responsibility for a child found to be in an unsatisfactory home, either during the pre-application period or when the application for an adoption order is considered. Adoption societies now remain responsible for the child during the probationary period, and are required by law to take the child back if an order is refused. In the case of third party placings the welfare authority may apply to a court of summary jurisdiction, or in an emergency the child protection visitor may apply to a justice of the peace, for an order for the removal of a child from a " detrimental " environment; but there is no such provision in the case of " direct " placings, unless the child's need of care or protection justifies action under Section 62 of the Children and Young Persons Act. We consider that application to the Court or to a justice of the peace should be open to the Children's Officer in all cases (though where the matter is in the hands of an adoption society she would be unlikely to exercise it). Further, we think that in cases where the placing has not been made by an adoption society, if an adoption order is refused on the ground that the home is unsatisfactory, the magistrates should be empowered to make an immediate order, without further application, committing the child to the care of the local authority. It would then fall to the Children's Officer to find the child a home if it proved impossible to return him to his parents. (We are informed that in a large number of such cases the mother cannot be traced.) There would of course be no need for the order suggested if the adoption order had been

refused for some reason not reflecting on the satisfactoriness of the home. In that case the question of legal guardianship might be raised. (See above para. 425 (ii).)

455. We have heard some disquieting evidence about adoption agencies not covered by the terms of the Adoption of Children (Regulation) Act. There is in that Act nothing to prevent " third parties " who are in a special position in relation to infant children—e.g. a matron of a nursing home—making a business of arranging adoptions without proper inquiry as to the home to which the child is sent and without any security that an adoption order will be applied for. There may be nominally no fee for the service, but there appears sometimes to be a concealed fee—e.g. in the form of work by the mother of the child given before and after the birth or as part of the overall payment made for the confinement. There may even be an illegal payment by the persons receiving the child which would be very difficult to discover. The " third party " is obliged to notify the placing to the welfare authority, but this falls far short of the precautions required from an adoption society. Our evidence moreover indicates that where large numbers of children are disposed of in this way soon after birth there is insufficient attention to the risks of travelling and change of environment which are entailed. We think that private persons should be prohibited from arranging adoptions in the sense of inviting applications and handing over the children direct to the adopters. It is difficult to avoid ruling out bona fide acts of personal kindness by such a prohibition, but it should be possible to place the onus of showing why he or she should not be regarded as breaking the law on any person who had placed as many as three infants for adoption in a single year. They would come under notice through the notification procedure.

456. We see no reason why the investigations into the health of the child and the adopters should be less thorough in the case of direct " third party " and local authority placings than they are in the case of placings by adoption societies. Before an order is granted the Court should require the child to be medically examined in all cases, and the adoptive parents should be required to complete a declaration stating that they have not suffered from tuberculosis, epilepsy, mental disorder or heart trouble. Where there is doubt as to their state of health—i.e. where a disease is suspected which might endanger the child's welfare—the adopters should be medically examined.

457. We have had some evidence that adoptive parents who have been refused an order by one Court may be successful in another. Applicants for an adoption order are already asked for a declaration that they have not been refused an adoption order by another Court in respect of the child concerned. We think the declaration should also cover an application in respect of any other child. Where a refusal is admitted the Court would be put on its guard and could have additional inquiries made.

458. Under the Adoption of Children (Regulation) Act, 1939, the local authority which registers an adoption society must satisfy itself that the society employs " competent " officers for making arrangements for adoption. No standard is laid down as to what constitutes competence. We recommend that local authorities be advised that adoption societies should employ officers of similar qualifications to those of the boarding out visitors employed by the local authorities themselves. In both local authorities' and voluntary organisations' services there are experienced and valuable visitors without academic or other formal qualifications. We recommend below (Appendix I) a form of special short-term training for such workers.

459. The points we have dealt with in relation to adoption are those which seem to us directly to affect the safety and welfare of the child. A number of other points have been raised by witnesses, relating for example to Court

procedure, laws of inheritance, and the protection of the adopters, which we regard as for consideration by departments dealing with adoption questions, but not within our terms of reference.

BOARDING OUT

460. We have placed boarding out next because of the view expressed in nearly all quarters that it is on the whole the best method short of adoption of providing the child with a substitute for his own home. In view of this general opinion it is rather surprising to find that of the 125,000 children coming within our first survey, only 31,000 are boarded out, and 11,000 of these have been placed in foster homes without the intervention of any public authority or the application before placing of any generally recognised standard. The main reason for this seems on investigation to be a shortage of satisfactory foster homes. Till 1945 the rules of the Ministry of Health did not permit the boarding out of any but orphan or deserted children and children " adopted " by the public assistance authority, though exceptions were authorised. This restriction has now been removed, but it appears that even before the removal there were not enough homes for the children. The Home Office on the other hand insist on the boarding out as soon as possible of children committed to the local education authority as " fit person." Some of the large voluntary organisations (e.g. Dr. Barnardo's Homes and the Church of England Children's Society, formerly the Church of England Waifs and Strays Society) make it a practice to board children out, others (e.g. the National Children's Home and the Catholic Child Welfare Council) differ from the general run of opinion in being averse from doing so as a general policy. Even the former group, however, have most of their children in Homes. It must be remembered also that a considerable proportion of the children are unsuited by habits, age, or by physical or mental condition to be placed in a private house. We are told that older children are difficult to place, and boys more difficult than girls. Coloured children can hardly be placed at all. Children whose own parents are in the neighbourhood do not settle well in foster homes.

461. When all these factors have been allowed for it remains true that far more children could be boarded out if there were suitable homes for them. We should like at this point to deal briefly with the principle that (adoption apart) boarding out should be regarded as the ideal method of disposing of the children. We think this is true where the home is in every way satisfactory and suited to the particular child. The evidence is very strong that in the free conditions of ordinary family life with its opportunities for varied human contacts and experiences, the child's nature develops and his confidence in life and ease in society are established in a way that can hardly be achieved in a larger establishment living as it must a more strictly regulated existence. For this reason we strongly deprecate the system which obtains in one charitable organisation of boarding out the children as infants and bringing them in to an institution at school age or a little older, even though their foster parents are anxious to bring them up in their homes and send them to the local schools and the children themselves are happy and well cared for. But as soon as the foster home falls below the entirely satisfactory standard, the institution—at all events the institution based on the small family group—begins to have advantages. Supervision of individual children placed in private houses is obviously much more difficult than supervision of groups under the care of employees of a local authority. If the foster parents are to any extent attracted by the payment made for the child and are themselves living on the verge of poverty the child may well suffer in bad times. There are also the various emotional dangers arising from changes of family circumstances—e.g. the return of a father from the Forces or the second marriage

of a widow, or merely a change of mind in the foster mother towards the child. The primary requirements of the children for whom the substitute home must be provided are affection and stability. There is no doubt that these essentials have been secured in many foster homes, but we wish to say emphatically that no risk should be taken in this very serious matter. If there is a doubt about the home the child should not go there. We feel obliged to deprecate insistence by the central department on the boarding out of any particular class of children. This has been done in the past with the " care or protection " children committed to the local authority, and though we understand that the policy has led to a useful development of the boarding out system, we fear that it has also had the effect of causing sub-standard homes to be too readily accepted. The O'Neill case supplies an example. It must be remembered that supervision and the possibility of removing the child from a bad or indifferent home are not a satisfactory safeguard, because the removal itself is bad for the child, who has already had at least one complete change of environment. Children undergoing several changes of foster parents are often worse off than if they had never been boarded out at all.

462. To sum up, our conclusion is that whereas the best foster home care should be used to the maximum, subject always to the suitability of the individual child for boarding out and for the home in which it is proposed to place him, it would be wrong, in view of the limitations placed on boarding out by the number of good foster parents available and the risk to the child where the home is less than entirely satisfactory, not to develop to the full, side by side with boarding out, an alternative form of compensation for the loss of a normal home life. Where voluntary organisations specialise in such alternative forms of care, we do not think they should be pressed to change their system.

463. The shortage of suitable foster homes has been explained in our evidence mainly by the following circumstances:—

(i) The weariness induced by war conditions, which has made a number of very suitable foster parents who have housed evacuated children feel a strong desire now that peace has returned to have their homes to themselves. We are informed that only a small proportion of billetors are recommended as foster parents, approved by the local authority concerned, and willing to continue;

(ii) There is a strong dread of becoming attached to a child who may be removed after a year or two from the foster parents' care. Interference by the child's real parents is feared and disliked;

(iii) Recent cases reported in the Press have given rise to the fear that foster homes will be very strictly supervised and that there will be frequent inspection and criticism;

(iv) Some of our witnesses considered that the allowances were insufficient and that a foster mother should be specifically rewarded for her service as well as compensated for the cost of the child's upkeep, but this view is not unanimously held;

(v) As regards privately placed children, the uncertainty of the payments acts as a strong deterrent;

(vi) The employment of women on work outside their homes and the absence of their husbands on war service has for some years made it difficult for them to assume extra household burdens and responsibilities;

(vii) The housing shortage has reduced available accommodation.

Only the first and the last two of these difficulties will be reduced by the course of time; the fourth and fifth might be removed by deliberate action.

464. We should add that the experience of evacuation, notwithstanding the reaction referred to in paragraph 463 (i) above, suggests that there is a large potential additional supply of foster homes. This conclusion is strengthened by evidence that homes were forthcoming for the Refugee Children's Movement, which boarded out some 9,000 children immediately before the war. There is reason to think that success in securing foster homes varies to some extent with the vigour and enthusiasm of the local authority. Figures have been supplied to us which show that taking two comparable largely rural counties, the proportion of children boarded out is 49 per cent. in one case and 80 per cent. in the other, and of two seaside resorts one has boarded out 82 per cent. and the other only 17 per cent. More co-operation between neighbouring authorities would probably have led to a larger number of placings.

465. A vigorous effort to extend the boarding out system for children in the care of local authorities should in our view be made, so far as homes of good standard in all respects can be found. The task of finding foster homes should be entrusted to trained visitors on the staff of the Children's Officer; we have been impressed by the extent to which at present it is left to untrained staff. Advertising, we understand, is generally regarded as unfruitful, though we have had evidence from one county council which has found a recent advertisement successful. The wording of the advertisement is important. A request for a good home for a child of whose circumstances some particulars are given appears to produce more suitable offers than any suggestion of a money transaction. Accounts in the public Press of particular children appearing before the Courts sometimes produce a large number of offers, the force of the appeal being perhaps due to the vividness with which the circumstances of the child in question are brought before the imagination. We think it is very likely that a fresh attempt to bring the need to public notice with the assistance of agencies with local branches, for example the Women's Institutes, the Townswomen's Guilds, Women's Co-operative Guild, the Women's Societies of the various Churches and the Women's Section of the British Legion, would produce a considerably increased number of offers, and we think it would be worth while to undertake this with a view not only to increasing the total number of offers, but also to placing children in more of the comfortable middle class homes which have room for them. The general position at present as regards foster homes in this country is that they are found almost entirely among the weekly wage-earners. We are inclined to think that there has been a tendency to assume that a child should not be placed in a " better class " of home than the home it came from. This seems to us an irrelevant consideration when choosing a permanent home, at all events for a very young child. An appeal to the public would of course have to be delicately handled if it were not to produce large numbers of unsuitable applications. Continued publicity would have to be directed to keeping the need before the public, and carefully explaining the work and responsibility involved. The actual investigation and approval of the homes offered would be the responsibility of the Children's Officer. Personal recommendations from any reliable source, supplemented by the advice of persons of standing with local knowledge, and most careful visits of inquiry, probably offer the best means of finding additional homes. Concentration of this inquiry in the hands of one agent and that a trained and skilled person should greatly improve the position. At the present time voluntary organisations and the various local authority

committees concerned with children compete against each other for suitable foster homes, and it may even happen that a child is placed by one authority or one department of an authority in a home which has been rejected by another; or children may be placed in a single foster home by separate authorities without each other's knowledge. The Home Office and the Ministry of Health have already urged local authorities to combine the work of home-finding for the Public Assistance and Education Committees, and under our proposals the duties of these committees in respect of deprived children would be combined.

466. The interviewing of the prospective foster parents by the staff of the Children's Officer should be thorough, and should include both parents (it may be that the wife wants the child but that the husband's consent is unwilling). Two references should invariably be taken up preferably by personal interview. Reference should be made to the police to see that the record of the foster parents is clear, and in country districts to local residents likely to be acquainted with the family—e.g., the vicar, the vicar's wife, the headmaster of the school, the doctor and doctor's wife, and so on. Possibly a small standing advisory committee could be formed for the purpose. This procedure should apply not only to homes found by the local authority, but also to homes in which the child is with relatives who have applied for a boarding out allowance for his support. We understand that this is frequently the origin of a boarding out arrangement. The advantages of natural affection in such a home may outweigh some inferiority of accommodation, but the committee should be satisfied that it is not of a character to be detrimental to the child. We have had evidence which convinces us that many persons of the right type would be forthcoming to take care—short of adoption or full-time fostering—of a child for school holidays throughout the child's school career, and to that extent meet its need for a family background. We strongly commend this plan in the case of those deprived children who are boarded at charitable institutional schools or who will be placed in boarding schools under the Education Act, 1944.

467. Approved offers of foster homes should be compiled in an informal register by the Children's Officer. A formal register, inclusion in which was notified to the foster parents, might be embarrassing, as there might be difficulty in removing the foster parent from the register when circumstances changed. The list compiled by the Children's Officer should include all homes in which boarded out children may be placed either by the local authority or by other local authorities or by any voluntary organisation, so avoiding the present competition for foster homes among voluntary and official bodies. Once the child is placed we see no reason why voluntary organisations should not supervise children in their care provided that they employ qualified visitors. Any foster home which is on the Children's Officer's list, but has not been recently inspected, should be re-inspected before a child is placed there by the authority, or if a notification of a private placing there is received. A home not on the list in which a private placing is notified should be at once inspected, and the Children's Officer should apply for an order to remove a child if the conditions are unsuitable.

468. The conditions which in our view are essential to successful boarding out are: congeniality between the child and both foster parents and a real prospect of security and the development of mutual affection; willingness on the part of the foster parent to further the interests and abilities of the child and to accept help in doing so; good wholesome conditions of living, however simple, not under the shadow of extreme poverty or precarious livelihood; a location where the child can share in local life and know the neighbours. On the whole our evidence indicates that the outskirts of a town or a

village not too far distant from a town with good educational and recreational facilities, is the most hopeful location. Boarding out in a lonely farm may be excellent, but the risk that if it is bad this will not be found out in time is too great to be taken. We must emphasise the importance of relations of mutual confidence between the boarding out officer and the foster mother. Generally speaking the foster mother should be given all the information available about the history (both family and medical history) of the child; and the course she should take in the event of illness or other difficulty should be made clear to her.

469. The question of payment to foster mothers is a very difficult one. Present local authority rates vary considerably throughout the country. In some areas the education department and the public assistance department of the same council do not pay the same rates. The maximum allowed by the Home Office is 20s. a week, plus an initial allowance of £12 for clothing. The Ministry of Health fix no limit to what a local authority may pay, and indeed have no power to do so, but excessive payments could be questioned by the District Auditor. A few public assistance authorities pay rates above the Home Office maximum. The average for the country seems to be about 16s. a week, inclusive of clothing which is often assessed at only 2s. to 3s. per week. The larger voluntary organisations are unifying their rates at 18s. inclusive. We have received very little evidence suggesting that the scale of payment in a particular case does not cover the cost of keeping the child, but a good deal of evidence in favour of greater uniformity. We see no sufficient reason in present circumstances for a variation in the rate of weekly allowance in different localities, and we recommend that this should be standardized. Some variation in the allowance for clothing would however in our opinion be justified, and we think not less than £12 a year should be allowed for this item. A child in a middle class home would no doubt have more spent on him than a child in a poor home, but we do not think it would be proper to graduate the allowance on that account. Standard allowances might reasonably be reduced in due course by the saving due to the provision of a free mid-day meal at school. On the other hand the element of wear and tear to house and furniture might be taken into account in special cases, as might physical or mental difficulties which make the child difficult to care for.

470. We have received representations from various witnesses that the payment to the foster mother should include an element of remuneration for her trouble. The amount suggested is 10s. a week. There is something to be said for this proposal, on the ground that the mother is doing work for a public authority in caring for the child and that her labour deserves reward. There would also be the advantage that greater pressure could be put on a paid foster mother to perform her duties efficiently. On the other hand if she required such pressure she would not be the right type of foster mother, and some of us feel that the acceptance of payment for the work cuts at the root of the relation between foster mother and child which we wish to create. The evidence is conflicting as to whether at the present time the prospect of financial gain is an important incentive to offers of foster homes. Some organisations consider that it is the ruling motive; others are just as convinced that it counts for very little. We are sure that it should not be an important motive where the child is received into an established household and we recommend that the basis of payment shall not be changed so as to include remuneration.

471. An interesting suggestion has been made to us from more than one quarter that the methods of placing children in homes should include an arrangement with a woman who has a home of her own but must work

to maintain herself, by which she takes a number of children and is paid a living wage. The distinction between this arrangement and the "scattered home", in which the local authority makes arrangements for a group of children in the care of a foster mother in a house detached from other houses used for the same purpose, is a very fine one. It lies mainly in the use of the foster mother's own home. There is a good deal to be said for it where the home is thoroughly suitable for the purpose and the woman is well fitted for employment as a foster mother. There is, of course, no objection to remuneration for the work where the woman is a full-time servant of the authority. We think offers of this kind should be favourably considered by local authorities. It might be a particularly suitable way of providing a home for a large family of brothers and sisters who should be kept together and could not be fitted into a single Home forming one of a group. The home would, of course, have to be visited and supervised like other foster homes.

472. We recommend that the rules laid down by the central department governing the conditions under which children may be boarded out should be generally applicable—i.e., to boarding out by voluntary organisations as well as to boarding out by public authorities. We have examined the two sets of rules issued by the Home Office under the Children and Young Persons Act and the Ministry of Health under the Poor Law Act and most of the rules now laid down appear to us to be satisfactory. We have already deprecated (para. 461) what appears to us to be an undue insistence on boarding out in the Home Office Rules. We doubt the necessity for the limitation imposed by both departments on the number of children to be placed with one foster parent. That number should in our view depend on the circumstances and personality of the foster mother and the accommodation in the home. We think it undesirable to place a child in a foster home where there are no other children if this can be avoided. The rules laid down by the Home Office for frequency of visiting (once in three months) and for medical examination (within the first month of residence) seem to us preferable to the corresponding Poor Law arrangements. We have given close consideration to the rules regarding the weight to be given to "religious persuasion" in selecting the home for the child. The Home Office Rule, following the Children and Young Persons Act, is that the authority shall "if possible" select a person who is of the same religious persuasion as the foster child or who gives an undertaking that the foster child will be brought up in accordance with that religious persuasion. The Poor Law rule lays it down that a child shall not be boarded out or be allowed to remain boarded out with a foster parent of a different religious creed. It seems to the majority of the committee that a regulation is unjustifiable which may involve keeping a child in an unsatisfactory environment, or removing him to a less satisfactory one, merely because the only good foster home available is of a different denomination from that assigned to the child, perhaps a very young child, on the facts available.* We have had evidence that in the present shortage of foster homes this situation has in fact arisen and causes some concern to local authorities. On the other hand we all feel that a genuine effort should be made to find a home of the appropriate denomination, and we deprecate an arrangement by which the child follows different religious observances from those of the home in which he is placed.

473. The control of boarding out by a boarding out committee is compulsory under the Ministry of Health Rules and permissive under the Home Office Rules. We contemplate a Children's Committee to take charge of all the finding

* A reservation by some members will be found on page 183.

ot substitute homes by a local authority, and it would be for that committee to appoint one or more boarding out sub-committees, if it thought fit, to consider questions arising on that side of its work. We do not, however, contemplate that members of such a sub-committee should in any area take responsibility for the supervision and personal visiting of foster homes as may be done now under both sets of Rules. For this work we think a trained and skilled officer of the committee should invariably be employed for the minimum statutory number of visits. If a boarding out sub-committee were appointed it would perform such functions in relation to the oversight of the boarding out visitors, and the action taken on their reports, as were entrusted to it by the main committee. Members of such a sub-committee could also play a most important personal part by taking a friendly interest in the children and the foster mothers, inviting them to their homes, introducing them to people who would play the part of a friend and seeing that the children take a full part in the life of the neighbourhood.

474. We contemplate each Children's Officer having under her one or more boarding out visitors each responsible for the supervision of 100 to 150 children on a basis of visiting at least once in three months. Where the home is found to be thoroughly satisfactory and the child is flourishing we think this is sufficient. More frequent visits would of course be necessary where there was any cause for anxiety. The children to be visited would include children coming within the scope of the extended child life protection service which we recommend (i.e. privately placed). The visitors should be trained on rather different lines from the workers for whom we recommended a Child Care Course in our Interim Report. They need more knowledge of social conditions, and more skill in rapid diagnosis of an unsatisfactory relation between child and foster-parent; they should also be trained in the right method of approach to persons visited so as to gain confidence and create pleasant relations. We have received recommendations from some witnesses that Health Visitors should be used generally for this work, but we are unable to agree that they have as a class all the qualifications required, though excellent recruits will no doubt be found among them. We make recommendations for the training of boarding out visitors in Appendix I to this Report. Boarding out visitors employed by voluntary organisations should have similar qualifications. It is essential that children boarded out with foster parents should be covered by the same health service as those in normal homes. Supervision of foster homes on behalf of the Children's Committee is equally indispensable. We have considered whether there should not be some combination of visiting functions in respect of children under 5 years of age, but have come to the conclusion that the duplication of visits need not be on such a scale as to be unwelcome to the foster parent and lead to friction. We understand that for certain children supervised by the Ministry of Pensions double visiting is avoided by mutual consent, so long as no health problem arises. We think it very important that close touch should be maintained with the child's teacher at school, so that for example prolonged absence of a boarded out child from school, his apparent ill-health or unhappiness or the missing of the school medical examination, would be reported by the teacher to the visitor. With the concentration of the central Government work in a single department we assume that the inspectors of that department would have the right of entry to foster homes for inspection purposes as the Home Office and Ministry of Health inspectors have now.

FOSTERING

475. We have considered whether the private boarding out or " fostering," now arranged direct between the parent of the child (generally illegitimate) and the foster mother, could be brought under the full control of the Children's

Committee and Children's Officer. This would involve requiring the mother to consult the Children's Officer before placement and to place the child only with a foster-mother on the approved list. We have already proposed that notification by the foster parent before placing should apply to the child placed for no reward, and to the child over 9 years of age, as it does now to the child under 9 placed for reward. We have concluded with regret that this is as far as public control can be carried, and that to require preliminary notification by the parent as well might lead to widespread evasion and an increase in the number of placings without any notification at all. This is already very considerable. We are informed that of 6,527 children ascertained as at 1st January, 1945, to be fostered in county council areas 942 had not been notified. The corresponding figures for county borough areas are 2,135 and 488. We recommend that suitable publicity be given to the legal requirements in such circumstances. We recommend also that the " Birmingham " system by which the local authority guarantees payments to approved foster-parents receiving children by private arrangement, and recovers these payments in whole or in part from the responsible parent, relative or guardian, should be adopted by all local authorities. Where the child is in the area of an authority not chargeable for its support, there should be power to recover the cost from the authority which is chargeable. There is much evidence that the uncertainty of payments in this class of case tells against the continuance of a happy home for the child. The " Birmingham " scheme is now operated under Maternity and Child Welfare powers and limited to children under 5; it should be extended to children of all ages and managed by the Children's Committee of the local authority. There should be statutory power to recover payments from the parent or guardian. The authority should also have power to make supplementary grants for clothing.

INSTITUTIONS (RESIDENTIAL COMMUNITIES)

476. The difficulties in the way of boarding out, or arranging adoption for all the children for whom a home life must be provided are obviously very great, and we think that the need for institutional care must be faced, with the aim of making it as good a substitute for the private home as it can possibly be. Some of our witnesses have foreseen the gradual elimination of the institution as social services are improved and the number of " deprived " children reduced to those for whom good foster homes can be found. We hope this may be so, and we realise the probable effect of such measures as family allowances and social insurance in limiting the extent of the problem; but we doubt whether the next 10 or 15 years will bring us to the stage at which institutions can be dispensed with, or even in sight of that stage. As we have pointed out, there are some groups of children who cannot be placed in foster homes and these groups will continue to exist, though their numbers, it is hoped, will be reduced, and this should be borne in mind in drawing up building programmes. There may even be, as we suggest below, a place for the institution as the administrative centre of a group of foster homes. But apart from these considerations we think community life can be developed on satisfactory lines as the alternative form of child care to which we have referred in paragraph 462 above. The institution, or large residential community, has, of course, certain advantages to offer—amenities for the children such as swimming baths, gymnasia and large halls for entertainment, a greater choice of friends and activities than in the small private home, and often the society and friendship of more cultivated and educated people. This is recognised even by those who most emphatically advocate the boarding out system.

477. The dangers of institutional life for children, even where the institution is well managed, arise out of the tendency to a lack of interest in the child as an individual and to remote and impersonal relations. Many children in Homes are physically better cared for as regards food, clothing and accommodation than they would have been if they had remained with their parents and their parents had given them ordinary parental care. We are, however, convinced by what we have seen ourselves and what we have heard from our witnesses that, on the human and emotional side, they continually feel the lack of affection and personal interest. The longing for caresses from strangers, so common among little children in Homes, is in striking and painful contrast to the behaviour of the normal child of the same age in his parents' home. The lack of the mother's fondling cannot of course be entirely made good, but something must be provided which gives the child the feeling that there is a secure and affectionate personal relation in his life.

478. After very careful consideration we have come to the conclusion that this can best be accomplished in the institutional sphere by placing him at the earliest possible age in a small group of children of various ages under the care of a trained and sympathetic house mother or house mother and father. What the age should be is a matter on which there is some diversity of opinion, but it is generally urged, and we concur, that infants under the age of 12 months should be in an establishment specially arranged to meet their needs and giving highly skilled and specialised attention to their physical health, and that a child of that age in the Home might give the average house mother too heavy a burden. We therefore advocate residential nurseries for all children up to 12 months and for older infants not over 2½ years and not yet boarded out or placed in a family group. We should not wish to rule out the possibility that where a house mother is fully trained and has adequate help and her charges are at school in the day time she might receive a baby over 12 months and under 2½ years old into her family unit, though we feel that for some time to come the majority of house mothers will not be qualified to take responsibility for infants. Such an arrangement is good for the elder children, and saves the baby a break in continuity at a difficult age. Full advantage should be taken of any nursery school facilities to relieve the house mother of the care of the child over 2 for part of the day. Once admitted to the group the expectation would be that the child should grow up to the age of 15 or 16 as the house mother's personal charge, and should come to feel some of the same reliance on her concern and affection that the more fortunate child has towards his own mother. This does not of course mean that there would be an embargo on other opportunities for the child, e.g. adoption, should these present themselves, but it would mean that the authority would not feel obliged to seek for other means of disposing of the child so long as he seemed to be suited to his environment.

479. Our proposals involve local authorities providing nurseries, and Grouped or "Scattered" Homes within their areas for all normal healthy children who cannot be dealt with by boarding out or are not provided for in voluntary Homes. It has been suggested to us that as an alternative to providing the Homes, local authorities should place the children in Homes run by voluntary organisations and pay the cost of their maintenance. We prefer, however, not to rule out publicly conducted establishments, though we should expect local authorities to make use of available places in approved voluntary Homes wherever convenient. Indeed we see much advantage in continuing a friendly rivalry between the two types of Home.

480. It is essential that local authority Homes should be entirely detached from adult institutions. Though we have seen some admirable nurseries under the control of the master of a workhouse and his wife, we think the

combination of duties is in general most undesirable and we are glad to note that this view was expressed by the National Association of Administrators of Local Government Establishments giving evidence before us. We consider that the permission to retain a child in normal health in an adult institution for even so long as six weeks should be withdrawn, except for babies with their mothers. Other children should not be received into workhouses except in emergency, and then for not more than 24 hours.

481. In view of the special dangers inherent in the congregation of a number of infants in one building, we think definite rules should be laid down with regard to the size, position and internal arrangements of nurseries. The ideal is that the total number of infants should not be over 20. Where possible the nursery should be placed close to the Cottage Homes with which it is grouped. The large dormitory should be avoided and the sleeping room split up into a number of small units. If the infants can be in small groups during the day time, each continuously in the charge of one nurse, so much the better. Every nursery should have a proportion, not less than 25 per cent., of single sleeping rooms for infants under 12 months where they can be nursed separately if necessary. We see no need for the continuance of separate powers in the Public Health authority to maintain residential nurseries; it is preferable that nurseries for deprived children like other Children's Homes should come under the administration of the Children's Committee, to whom the advice of the Medical Officer of Health should of course be available. If the Public Health powers are retained there should be statutory power (there is none at present) in some central department to inspect the nurseries.

482. We do not consider that children who come into the charge of the authority above the nursery age should be immediately placed in the Home in which they are to remain. We have received almost unanimous recommendations from our witnesses in favour of what are variously described as reception homes, sorting homes, or clearing stations. The need for these is, according to witnesses from the Ministry of Health, one of the important lessons learnt from evacuation experience. It appears from Section II of our Report that this need is met in large measure at present on the Poor Law side—but most unsatisfactorily met—by housing the children for the time being in workhouses. We recommend that in the area of each responsible authority there shall be at least one reception Home. Some authorities already make this provision. Such establishments can, we are satisfied, serve several purposes. The first is medical, to see that the child is free of infection, clean, and trained in bodily control. The second is observational—to see whether the child is normal and well adjusted to society, or requires some special treatment to restore him to normality. It is essential therefore that medical and psychological advice should be available at such centres though we recognise that specially difficult cases will require closer and more specialist study than can be provided there. We have received interesting evidence about a successful home run on these lines at Stockholm. The child should not, however, be kept in a temporary home for a moment longer than is necessary. We do not think observation should last for more than a few weeks at the outside.

483. Reception Homes need not be arranged in small family groups, though some segregation will no doubt be necessary for medical reasons and the buildings should be planned accordingly. There should be nursery accommodation in them for children of nursery age or separate residential nurseries for such children. The Homes can serve, and in our view should serve, as "places of safety" for children needing care or protection under the

Children and Young Persons Act, 1933, as well as for the first refuge of destitute children. It is however highly undesirable that, as sometimes happens now, a child should be taken to a reception Home as a " place of safety ", and retained there indefinitely because of delay in bringing the case before a Juvenile Court or in obtaining a decision. Section 67 of the Children and Young Persons Act, 1933, which provides for the child's detention " until he can be brought before a juvenile court ", requires strengthening to ensure his being brought there without delay. We think also that with due precautions against the spread of childish ailments and with skilled and careful control and supervision, reception Homes could serve as the " short stay " Homes which are needed for children whose parents are for short periods unable to look after them, e.g. because the mother is having another baby. A striking fact that has emerged from our evidence is the large proportion of Public Assistance admissions which are of the " short stay " character. The proportion has been put as high as 60 per cent. by the National Association of Administrators of Local Government Establishments and this is confirmed by the evidence of the London County Council. The evidence is that more accommodation of this type is badly needed, and we hope that voluntary organisations as well as public authorities will consider means of providing it. We also think that there is a great deal to be said for using reception Homes as remand homes for small children, say under the age of 12. While we recognise that older children who have been remanded by the Juvenile Courts may be of a confirmed deliquent character and may therefore need a separate type of establishment, we are convinced that it is difficult, if not impossible, to distinguish between the small child needing care or protection on account of his own naughtiness (e.g. because he is a truant or beyond control or even because he has been guilty of pilfering) and the child needing it on account of parental neglect. The Juvenile Court may prescribe different treatment for the two at a later date; or it may take the view that for the small " delinquent ", as well as for the child removed from a bad home, good home conditions in a new environment are the best treatment; it may commit both to the care of the same authority (under our proposals the Children's Committee of the area). In either case we see no reason why during the period of waiting for a decision the child should not be with other children in the reception Home and be reported on by the skilled observers there. It should be noted that the age at which a child can be charged with an offence (8 years) is very low. If it were raised (say to 12 years) no question would arise of treating young " delinquents " removed from their homes for their own protection or that of society in any different way from other children needing care or protection. They would in fact be children needing care or protection as they could not be the subject of a criminal charge. It is essential that accommodation in the reception centre should be sufficient to meet not only probable average needs but the needs of a peak period—in other words that there should normally be space to spare. We are informed that this was so before the war in children's Homes generally, and we hope that it will be so again. Another essential in this type of establishment is the provision of ample play material to keep the children interested and amused during the period of waiting.

484. The children found in the reception centre to be normal and healthy and needing long-term care will (except where adoption, boarding out, placing in an approved voluntary Home, or committal to an approved school is arranged) be placed in nurseries or in suitable family groups with due regard to age and the ages of the other children already in the group. Where local authorities and voluntary organisations now house the children in their care in large institutional buildings which they will be unable to replace for some time to come, they should attempt to introduce the group system by breaking

up the community into small units, each under its own house mother, occupying one floor or block of rooms in the building and taking meals at a separate table. By this means it has been found that some of the advantages of the family group can be secured. The babies would ordinarily come on from the nurseries to these family groups at the age of about 2 years. A break in association must be avoided so far as possible, and the nursery nurses should visit the children often in the first year. This should be easy where the nursery is in the same building or is one of a group of cottage Homes. A boy of over 12 years of age will be difficult to introduce into the family group of mixed sexes, and for him we recommend the combination of boarding school with holiday foster home to which we referred earlier (para. 466). For such deprived children the discipline and the opportunities for group activities which are offered by a large community would be salutary, but the boarding school could not supply the home element in their lives which we consider essential.

485. The small group Home should contain not more than 12 children ranging from about 2 to 15 years. Some of us think the lower maximum of 10 is preferable. The sexes should be mixed, subject to provision for removing the adolescent boy or girl (or indeed any younger child) who seems to need a different environment. Brothers and sisters should be kept together, but we realise that vacancies in small groups would not necessarily occur in such a way as to make this possible within the grouped Homes. There is much to be said for placing a man and his wife in charge of such a home, the man to be employed on associated work, e.g. gardening, or independent employment outside it. This plan comes nearest to reproducing the actual conditions of family life. We recognise, however, that husband and wife may not often be equally suitable for work of this kind, and that other difficulties, e.g. of accommodation, may arise. We do not therefore consider that the employment of man and wife can be recommended as the invariable, or even the normal, method of staffing the small Home. Eight is, we believe, the ideal number for a group, though it will be some time before buildings can be adapted or built for such small units. A " family " of eight is not an impossible conception even in present-day conditions, and it will allow of the protective relation between older and younger children which is profitable for both. The older children will also give the kind of assistance to the house mothers in the house that they would give to their own mothers. While any exploitation of child labour in Homes is to be severely discouraged, we are strongly in favour of both boys and girls being so brought up as to be able to do ordinary domestic jobs like washing up, laying tables, and making beds, and to take it for granted that every dweller in a house should contribute to its running by this kind of help. The labours of the Home should be considerably lightened by the provision of mid-day meals at school, and the rest of the work might well be shared between the house mother and the children, with daily help for cleaning and possibly for mending. The house mother should be allowed as much freedom as possible in her domestic arrangements. Provided the children's help is treated by her as a contribution to a joint effort—the children's share of the job of keeping the home going—and provided that what they do is suited to their years and varied from time to time so as to maintain their interest, we see no objection and much advantage in this use of a small part of their time. It should not, of course, interfere with school work or out of door exercise, or involve their arriving at school tired. Nor should the house mother be encouraged to make a fetish of tidiness and high polish.

486. Many grouped " Cottage " Homes are already in existence. We are informed that 43 per cent. of the children in local authority Homes in 1939 were in grouped Homes. Some of them [illegible]

nearer to the family atmosphere than can be done in the large institution. There are, however, several ways in which we think they might be improved:—

(i) Some of the groups are much too large and so defeat their own object;

(ii) The precise similarity of all the houses in the group has a somewhat depressing effect. Here no doubt considerations of expense arise; but a group of cottages sited here and there in large grounds, differing a little from each other in external appearance if not in internal plan, would help to create the feeling of " my home " it is necessary to the child to have;

(iii) They need a good sunny play room separate from the dining room and kitchen, with individual lockers for the children's possessions. They should have a place for quiet occupation where the older children could do home work;

(iv) Small separate bedrooms should be available for the older children, say those over 12;

(v) There should be a garden for outside play, not, as in some cases, a bare asphalted yard only.

In such points and many others which we enumerate below, the central department should give guidance to the authorities.

487. The alternative form of the family group is the " Scattered " Home, a small independent residence, generally an ordinary house in a street, in the charge of a foster mother who is supervised from a distance by officers of the local authority or a superintendent of a number of Homes. From some points of view this type of Home is preferable; the children may be more readily absorbed into the life of the neighbourhood and less marked out from their fellows as institution children. The objections to it arise mainly from the isolation of the foster mother in charge, which may entail risks to the children if she should not be altogether fitted for the work, and necessarily entails some lack of social opportunities for herself. We find that among those who are closely connected with the management of children's Homes opinion is divided on the respective merits of the " Grouped " and " Scattered " Homes. Everyone agrees that if the " Scattered " system is adopted steps must be taken to give the women in charge enough relief to enable them to have a social and cultural life of their own. Members of the local authority committee can help in this matter by keeping in touch with them and helping them to take part in the life of the neighbourhood. For their sake it is advisable that the Home should not be placed too far from centres of urban or village life. It must be remembered that for the children's sake as well as their own the foster mothers should be helped to contentment with their work and their environment. It has been impressed upon us by our witnesses that it is most harmful for children to be in charge of an unhappy woman. Apart from social opportunities, they should have the chance of meeting other people doing similar work to talk over their problems and develop a vocational consciousness.

488. The children from either type of Home should go to school with the other children of the neighbourhood, including those of nursery school age where nursery schools are available, as we hope they will soon be more widely, under the new Education Act. They should form the usual contacts with other children, visit their houses, be allowed to ask them back, join their Scout and Guide troops, and go with them to the swimming baths. The house mother should take an interest in all their doings, and should give them a healthy freedom. Where it is possible to arrange for children in the different cottages to go to different schools in the neighbourhood, we think this is desirable, and our evidence is that it is sometimes done. Nothing is worse for the children maintained by public authority or private charity than to be labelled as " Home " children and to form a separate group within the school. It is of course essential that teachers in the schools should discourage any such labelling. The National Union of Teachers expressed the view in evidence that not more than about 4 per cent. of the children of a particular school could safely be " Home " children without becoming a group marked off from their fellows, but we think this estimate is too low.

489. The Education Act, 1944, should secure for all children the opportunity of primary education up to the normal standard and secondary education according to the ability and aptitudes of the child. We feel sure, however, that special attention will have to be given to children's Homes to make it certain that those advantages are enjoyed in full by the children there and to ensure that the children reach their maximum capacity at each educational stage. It is for this reason as well as for the purpose of maintaining contact with the outside world that we think it should be the general rule that children in either local authority or voluntary Homes should attend the primary and secondary schools of the neighbourhood unless they are so numerous as to make it impossible for those schools to receive them. In order that a particular Home, or rather group of Cottage Homes, shall not take up too much of the accommodation of the local school, it is advisable that its total size should be kept within a limit of, say, 100 children. A larger community is obviously very difficult to fit in to the life of the neighbourhood.

490. Should the numbers be too great for absorption in local schools, the proper course is to set up a recognised primary school with qualified teachers within the institution and admit children from the neighbourhood. In any case there should be inspection by the Ministry of Education wherever education is carried on within the Home, as it is in some Homes conducted by voluntary organisations. While some of these are engaged in educational experiments which we should be sorry to rule out, in others we are not satisfied that the education is up to the normal standard. We are informed that there may well be no inspection by the Ministry of Education of such an establishment, though there often is inspection by arrangement or invitation. The local education authority should, through its school attendance officer, discover whether the children in a Home are being educated, and if they are not, the children's parents or, if the parents are unknown, the person in charge of the Home, can be prosecuted. In this way no doubt the worst scandals have been corrected; but teaching which is slightly, or even substantially, below the authority's standard in its own schools may still be tolerated, and our evidence is that it does continue in certain charitable Homes. Under the Education Act, 1944, Part III, a Home purporting to give education to children of school age will be in the same position as a private school—i.e., it will have to be registered and inspected, and the Minister of Education will have powers of drastic action if the education is below standard. No appointed day has, however, yet been fixed for the coming into operation of this part of the Act, and we consider that in the meantime special action should be taken with regard to institutions in which deprived children are being educated. The powers of the local education authority should suffice to enable them to put pressure on any Home where the education is not satisfactory, either to send the children to the local schools (in our opinion the preferable alternative) or to improve the teaching and invite inspection. It will, of course, be essential in future that such establishments should provide efficient secondary education of varying types for children over eleven years of age retained in the Home for education.

491. Under the Endowed Schools Acts, 1869-1908, the Minister of Education has wide powers to reform endowments so as to make them most conducive to the advancement of the education of boys and girls. Under the Charitable Trusts Acts there is power for the Minister to amend educational trusts which can be shown to have failed. Local authorities should be advised to raise the question of action under these Acts in cases of difficulty to which the Acts apply. There are, however, numerous exceptions to the operation of the Acts, and we think that there is scope for a review of this legislation with a view to relieving the Ministry of Education of some of the restrictions which at present limit their power to modify educational trusts not used, or not fully used, in the best interests of the children.

492. We consider that all voluntary Homes taking full custody of children should be registered with, and subject to inspection by, the central "home-making" department, and that all alike which receive normal healthy children should be subject to a code of rules for residential Homes laid down by that department and applicable alike to voluntary and local authority Homes. The period when provision for orphans and destitute children could be treated as a matter of private benevolence, free of all criticism, is past. All establishments alike, however they are financed, should receive the guidance, advice and direction of a central authority which has made a special study of child care and can indicate where the arrangements in any Home fall short of what modern opinion requires. Where a voluntary society cannot maintain that standard for financial or other reasons it should either be assisted to do so (if it is serving a useful purpose) or it should cease to be permitted to receive children.

493. A number of points which should be covered for institutional Homes either by Statutory Rule or by directives issued by the Central Department have been mentioned in paragraphs 478-485. We would add the following (in addition to the directions regarding after care proposed in paragraphs 502-503 below).

(i) *Local Committees*

If a sub-committee is appointed by the Children's Committee of a local authority or the executive committee of a voluntary organisation to supervise a children's Home, the arrangements should provide (a) for the inclusion of both men and women members, (b) for retirement in rotation and limits on reappointment such as to secure that stimulus is given by the introduction of new members and that membership is not continued beyond the age at which an active interest can be taken in the Home.

(ii) *Staffing*

The Homes should be staffed on a basis which allows of individual care and attention to the children. As an example, for grouped Homes the ratio for house mothers should be one house mother to ten children, plus the necessary provision for assistance and relief. For nurseries a much higher ratio of staff to children is required. The qualifications to be aimed at are personal suitability, a deep interest in children as individuals, and training on the lines proposed in our Interim Report. For the higher posts administrative capacity is needed in addition to these qualifications.

(iii) *Conditions of employment for staff*

The staff must be adequately and comfortably housed with reasonable facilities for quiet leisure time and for entertaining their friends. Pay and superannuation conditions should be negotiated with the appropriate staff organisations and standardised.

(iv) *Records*

A progressive record should be kept of each child including his family and personal history and the circumstances of his admission, his health history while in the Home, and any important developments in his behaviour or his school career. It should be used to provide qualified staff with information useful to them in the care of the child.

(v) *Medical attendance and examination*

Regular medical attendance and examination should be provided for the children, as laid down in the existing Public Assistance Order for Children's Homes. The Home should appoint a medical attendant, who should be in close touch with the life of the Home and be available to give advice and help on the care of the children apart from particular cases of sickness. He should be available for consultation by the management committee.

(vi) *Sick room accommodation*

A small sick bay should be provided for each group of Homes.

(vii) *Food*

The central department should give guidance on nutritional standards and on a balanced diet and the best use of available food stuffs. Subject to this and to making full use of facilities for school meals, the house mother in charge of a family group should be allowed as much freedom as possible in planning meals for her household.

(viii) *Furnishing, etc.*

The aim should be to furnish the Home in a simple but pleasing manner, with bright harmonious decorations, curtains, crockery, covers and pictures (hung at the right level for children). Chairs, in preference to forms, should be provided, and some of them should be easy chairs. Chests of drawers should be available for putting away children's clothes. Baskets under the beds are not a satisfactory article of equipment.

(ix) *Dress*

In dress the children in Homes should not be differentiated from the other children whom they meet at school. Uniform is to be avoided unless it is a school uniform. On this point the present practice is on the whole satisfactory. Where practicable, older children should be allowed experience in shopping in connection with the purchase of their clothes, and older girls should be allowed to help in making them up.

(x) *Personal Possessions*

It is very important to encourage in the children the respect for other people's property which comes from the sense of having property of their own. Some locker or other receptacle of their own for keeping such possessions as a child buys with his pocket money or receives as presents is essential.

(xi) *Recreation*

There should be a good up-to-date library of suitable books and arrangements with the public library for a circulating supply of books. There should also be an adequate supply of toys and indoor games, wireless, and opportunities for the pursuit of hobbies. Outdoor recreation should include the cultivation of garden plots and the keeping of pet animals. The house mother should have a small reserve of petty cash to meet expenses of small expeditions, birthday parties and birthday presents.

(xii) *Pocket money and opportunities of spending*

To allow children to spend their own money is a necessary part of their education and they should be allowed to buy their own sweets. Older children should be sent on errands for the household. They should also be encouraged to make small subscriptions to clubs or societies for group amusements, and to save up for small presents.

(xiii) *Outside contacts*

Friendships with children outside the Home should be encouraged, and reasonable opportunities should be given to invite friends to tea at the Home or to the swimming baths, games or other means of amusement there. Opportunities should be given to children to join local young people's organisations. Reasonable freedom should be allowed the child to go out alone or with his friends. Close links may sometimes be formed with adults who are willing to act as outside friends to a particular child, and these too should be encouraged, subject to careful selection. Holidays can sometimes be arranged with such outside friends. In any case some arrangement should be made for giving the child a complete change from the Home once a year.

(xiv) *Contact with relatives*

Every effort should be made to keep the child in touch with such relatives as he may possess, provided of course the contact is not likely to do him harm.

(xv) *Daily routine*

Children should not be made to rise early in order to do work before breakfast; and all the children should have breakfast as soon as practicable after getting up.

(xvi) *Names of Homes*

A Home should not have a name which marks out the children living in it as in some way unfortunate—e.g. as orphans or " foundlings ".

(xvii) *Religious up-bringing*

We do not as a Committee desire to lay down rules on the subject of religious observances. If the wise and understanding staff whom we desire to see in charge of the children are secured, they will no doubt find means, as good parents do, of influencing the children's lives both by their teaching and their example. Some members of the Committee would go further, and have expressed their personal views in a note on page 183. We are all agreed that there would be advantage if co-operation were encouraged between the local clergy and those responsible for the child's home care; and that where a chaplain is appointed to a children's Home he should be selected for his special understanding of children and young persons.

(xviii) *Discipline*

We have given much thought to this question and have come to the conclusion that corporal punishment (i.e., caning or birching) should be definitely prohibited in children's Homes for children of all ages and both sexes, as it already is in the Public Assistance Homes for girls and for boys of 14 and over. We think that the time has come when such treatment of boys in these Homes should be as unthinkable as the similar treatment of girls already is, and that the voluntary Homes should adopt the same principle. It is to be remembered that the children with whom we are concerned are already at a disadvantage in society. One of the first essentials is to nourish their self respect; another is to make them feel that they are regarded with affection by those in charge of them. Whatever there is to be said for this form of punishment in the case of boys with a happy home and full confidence in life, it may, in our opinion be disastrous for the child with an unhappy background. It is, moreover, liable

to grave abuse. In condemning corporal punishment we do not overlook the fact that there are other means of enforcing control which may have even more harmful effects. We especially deprecate nagging, sneering, taunting, indeed all methods which secure the ascendancy of the person in charge by destroying or lowering the self-esteem of the child.

There are certain behaviour difficulties, in particular bedwetting (enuresis), for which the punitive approach is in general inappropriate and should be strongly discouraged. This is one of the most serious problems of the institution and indeed of the foster home. The trouble seems to be linked with the child's sense of insecurity. Our evidence is that a combination of encouragement, small rewards for improvement, and physical treatment as medically advised, adapted to the particular case, will usually effect a cure in time, but that punishment generally makes matters worse.

Pilfering also should be treated as a symptom rather than a crime, though with the recognition that if it is allowed to continue it may develop into the crime of stealing. It seems to be sometimes a sign of emotional disturbance and sometimes the under-development of the sense of property in a child with no possessions of his own.

494. While we recommend the small family unit as being, after adoption and boarding out in the best conditions, the most satisfactory method of meeting the needs of normal healthy children, we see a limited use for the larger Home of say about 30. Apart from special experiments by voluntary organisations under exceptionally able leadership, which we should be sorry to discourage, we think the larger community may be the more successful for the abnormal group. There will always be a need for temporary removal from its home of a maladjusted or difficult child, as evacuation experience has amply shown, and notable success with such children has been secured in Homes of the size of 20-30. The unstable child appears to do better in a community with many activities and friends to choose from, and with an expert in charge of the discipline. Our evidence indicates that what is required for such a Home is an exceptionally competent and sympathetic superintendent and matron, and visiting advisers qualified in the treatment of childish abnormalities. It would serve in a sense as a residential child guidance clinic. Our witnesses have not advised us that any special regime can be prescribed for such establishments. Remarkably successful results are achieved by dissimilar methods, given personal suitability and enthusiasm on the part of those in charge. Some experiments have been made—by local authorities and one voluntary organisation—with Homes of this type as centres of a group of foster homes. The superintendent of the Home is the friend, adviser and supervisor of the foster parents, and a child who is for some reason unmanageable can be brought into the Home for rehabilitation. We think this plan well worth further trial. Care should be taken, however, not to interfere with the parental relation of the foster parent to the child or to let the child feel that there is another authority to which he can appeal. We should welcome research and experiment by local authorities on the best way of tackling the cases which for some reason are abnormal. We recognise that under the Education Act, 1944, this is the responsibility of the local education authorities, and we assume that " deprived " children, equally with those from normal homes, will enjoy the benefit of whatever remedial treatment is found to be most effectual.

495. We welcome in this connection the circular of the Minister of Education urging local authorities to make further boarding school provision for maladjusted children. We regret to learn that the Ministry of Health hostels for evacuated children who were maladjusted have not yet been taken over in any number by local authorities, and we hope immediate steps may be taken in

that direction so far as provision for deprived children is concerned. The matter is an urgent one and we are anxious that full use should be made of the successful war-time experiments in the care of the maladjusted child under skilled advice and treatment. We had evidence that the presence of such children in the ordinary children's Homes caused great disturbance and prevented the staff from doing their best work with the other children under their care.

496. We have given a good deal of thought to the question whether the provision of homes for children could not in some way be combined with the provision of boarding school accommodation for the normal child contemplated in the Education Act, 1944. This will presumably in the first place take the form of boarding houses attached to day schools for children whose homes are too far away for daily travel to be convenient. It seems an obvious course to place in such boarding houses the children eligible for the particular school for whose maintenance the local authority is in any case responsible. It is clear however that such boarding schools will not be in any real sense " homes ". If the child is to be compensated for the absence of a normal home life it is essential that he should have a home from which to go to boarding school and to which he would return for the holidays. Subject to this being arranged by the Children's Committee, we should regard it as highly desirable that the children with whom we are concerned should share in any boarding school provision made by local education authorities. It is particularly desirable that children coming under the care of the authority at an age when they are not readily assimilated into small family groups—e.g. boys over twelve years of age—should go to boarding school and be placed in foster homes only for the holidays. Some existing orphanages and similar institutions of the " barrack " type where education is given on the premises seem eminently suitable for use as boarding schools. If children from normal homes could be introduced, such establishments could be brought into line with other boarding schools which are largely or wholly charitable, but which manage to escape any of the associations which cling to orphanages and foundling hospitals.

APPROVED SCHOOLS AND REMAND HOMES

497. Some children with whom we are concerned are in present circumstances sent to boarding-school—the schools " approved " by the Home Secretary for the education and training of children brought before the Juvenile Court. They are placed in the schools, or in the preliminary stage in remand homes, under an order of detention. This part of our subject presents us with some difficulties. We do not think it our province to embark on questions of criminal justice and were it not that children obviously within our terms of reference—i.e. those in need of care or protection—are dealt with by the Courts under the Children and Young Persons Act, 1933, on the same lines as delinquent children, we might not have felt called upon to make recommendations with regard to these institutions. As things are, however, the approved schools and remand homes must be regarded as a part of the provision made for children deprived of a normal home life, even though the treatment of delinquent children in the same institutions who have parents with whom they are in touch and to whom they go home when on leave may be regarded as outside our terms of reference.

498. Approved schools, as the long-stay institutions for the children in whom we are interested, may be dealt with first. Remand homes from our point of view are of secondary importance as they should be merely places of transit. We have asked ourselves what, if our proposals are adopted, will in future be the function performed by the approved schools for the deprived child as distinct from their remedial function for the delinquent. In view of the powers now available to education authorities to provide boarding schools, is there any need for another type of school to which the child in need of care or protection should be sent? We think there is, for the really difficult or very unruly child, and the child who has been exposed to very depraved influences, between whom and the delinquent child the difference is often merely one of accident; both groups may, incidentally, be much retarded in their education. The approved schools provide complete custody and continuous training over the whole year, and for children removed from undesirable home surroundings and unfit for boarding out, or found to be unmanageable in the ordinary children's Homes, this is important. They also have a curriculum aiming at bringing the educationally retarded child up to the general level, and many of them provide an active out of door training which is particularly suitable for some temperaments. Others develop vocational training to a high level. While, therefore, part of the stream of children now sent to approved schools should be diverted under the new arrangements we contemplate, either to hostels for maladjusted children which should take them in hand before they have become a problem for the Juvenile Courts, or by much more frequent committals to the local authority, which might send the children to one of its own boarding schools and arrange a foster home for the holidays, we think that the possibility of sending to an approved school a child who is likely to benefit there should remain open. There are no doubt great difficulties in arranging holiday foster homes for approved school children, but we think the attempt should be made as soon as the deprived child is fit to be an inmate of an ordinary private home. We consider that the magistrates should have power to send a child in need of care or protection to a local authority boarding school as to an approved school, as they already have in London to send him to a Children's Home. Where a hostel for maladjusted children seems to be the appropriate place for him, the local education authority should be approached with a request for his admission.

499. In the main the approved schools seem to us to be well conducted in a humane and experimental spirit. The chief faults we have to find in the schools for boys are insufficient feminine influence, and a tendency in some of them to regimentation. We think the provision for the cultivation of individual interests might be improved. With regard to the senior girls' schools we have some doubt about the value of institutional treatment. These schools are dealing largely with the over-sexed adolescent, and are handling a problem to which, according to our witnesses, no satisfactory answer has yet been found; whereas the boys' schools are achieving a steady improvement in the application of methods which have been found to be to a large extent successful. No doubt a period of restraint may be necessary in the case of these girls in the interests of society as well as of the girls, but it should be used to widen their interests and educate them to find pleasure in a different way of life. More emphasis on health and social education seems to us to be required. A period of detention in a remand home with no equipment for educative occupation may be worse for the girls concerned than leaving them at large. A course of events by which a girl, originally taken under care or protection as in moral danger, who becomes, as she well may, unruly while in custody, may find herself in prison without being charged with any offence, is in our view deplorable, and we hope it will be provided against in the Criminal Justice Bill now under consideration. We are clear that the sense of being in custody should be minimised not emphasised with the senior girls, to whom the whole care or protection procedure, limited as it is to those under the age of 17, must of necessity appear arbitrary. We consider that the staff dealing with difficult and unstable girls need special training, and we welcome in this

connection the proposals of the Home Office Committee on Salaries and Conditions of Service in Approved Schools and Remand Homes (1946). We also think that where signs of instability appear, expert guidance should be sought at an early stage, before the girl becomes unmanageable. A good deal of experiment in treatment is, however, desirable in this most difficult matter. The most hopeful we have seen is an approved school where at the earliest possible moment the girl is transferred to a hostel from which she goes out to work. She has access to varied amusements and activities, is put on her honour as regards her behaviour, and remains under friendly supervision. This experiment points to the desirability of establishing schools for girls in places not too isolated, where the girls are sufficiently near centres of population to attend classes and obtain varied types of training as well as some social life outside the school. A preliminary period of training and stabilising is, of course, necessary.

500. The present arrangements for the provision of approved schools are unsatisfactory—indeed they obviously broke down in recent years since the supply is admittedly insufficient for present purposes. The abnormal circumstances caused by the war, a sudden rise in juvenile delinquency, the bombing and commandeering of school premises and staffing difficulties all contributed to this, and though improvement is already apparent there is still a considerable period of waiting in some remand homes. We see grave objection to the committal of a child in need of care or protection to an approved school unless a vacancy is known to be available for him. If there is none, the next best arrangement must be made, but that cannot in our view be detention in a transit home. If the adoption of our recommendations results in many of the children now sent to approved schools being sent elsewhere the pressure will be relieved. There is, however, no assurance under present legislation that the right number of approved schools will be provided. The incidence of need is very unequal over the country and as schools are classified according to the training given, they are not used only for children in their own area. The provision made by voluntary organisations is also unevenly spread. Though it is the duty under the Children and Young Persons Act, 1933, of every local authority either alone or in combination with other local authorities to take appropriate steps to remedy the deficiency, the requirement is apparently not specific enough in its relation to any one authority to ensure action being taken. We recommend that the central department concerned with deprived children should have power to call upon a particular authority to make what the Minister considers its proper contribution to meeting the particular need. We also think that the central department should itself have power to set up approved schools if necessary.

501. Remand homes lie still nearer to the verge of our terms of reference than approved schools. We wish to emphasise strongly (1) that these Homes should be for short stay purposes only, though those purposes should include careful observation as we recommend below, and if possible should be used only for the term of first remand. A fortnight should be the average normal length of residence; often it could be shorter. The population of remand homes is necessarily of a very miscellaneous character, and no continuous educational curriculum can be established. The task of the staff is made impossible if some children are kept for months waiting for vacancies in other establishments; (2) a child committed to custody for purposes of punitive detention (Section 54, Children and Young Persons Act, 1933) should not in our opinion be admitted to the ordinary remand home; (3) the period of the child's stay in the remand home should be used to ascertain so far as possible facts about his intelligence and temperament which would facilitate the decision of the Juvenile Court when he is next brought before it; a report from the superintendent of the remand home as well as any medical and psychological information, whether obtained at the request of the magistrates or on the recommendation of the staff should be laid before the next Court (we assume in this recommendation that a trained and skilled person will be in charge of the remand home). It should be possible to identify mental defectives at this stage and prevent their being sent to approved schools; and much of the work now done at " classifying " approved schools could be rendered unnecessary, thus avoiding an extra break in the child's life. The classifying schools are open to the objection that the result of the classifying emerges too late to affect the magistrate's decision. Our investigations have led us to think that the policy of passing all children committed to approved schools through a classifying school in the first instance needs some further consideration; and that the remand home should really be the first " sieve." We realise that skilled observation will not be available in some provincial remand homes but it may be possible to make use of local child guidance clinics; we are glad also to learn that observation centres are being set up in a few selected remand homes in various parts of the country.* We recommend this arrangement; (4) notwithstanding the difficulties of arranging an educational curriculum for short-stay residence a determined effort should be made to use the time in the remand home profitably for the children concerned. The services of the necessary teachers and club leaders and suitable equipment should be made available for the purpose. A good deal that is useful could no doubt be discovered about the child by means of games and educational employment. If it is impossible to make suitable provision on account of the small numbers, the question of combining with neighbouring authorities to provide a larger Home should be considered. There may also be cases where the children could properly be sent out to school; (5) as we have already suggested in paragraph 483 we think that reception homes provided by the local authority should ordinarily be used both as places of safety and for purposes of remand for the younger children who are not for special reasons unfit for admission. We think, too, that when hostels for maladjusted children are established it will be wise to make arrangements with the local education authority to send a really difficult case to such a hostel or a hostel associated with a child guidance clinic; (6) the segregation of girls suffering from venereal disease from other girls, which is in force in the larger Homes, should be general; (7) the use as remand homes of voluntary Homes primarily intended for other purposes is undesirable, unless they are staffed by trained and skilled persons. There are, however, some voluntary Homes particularly suitable to take charge of girls in moral danger, and where such Homes are well staffed but in need of funds the question of help from public funds contingent on the maintenance of a satisfactory standard of care might be considered. We are greatly impressed by the need for flexibility and variety in the treatment of these girls, and the importance of making them feel that they are being cared for in a friendly way rather than merely held in custody. The local authority should pay for such accommodation, on the choice of which the Children's Officer would no doubt be consulted by the magistrates. Voluntary Homes or shelters for adults are not suitable for children on remand.

AFTER CARE

502. Whether the deprived child is in a local authority or voluntary Home or is boarded out, his start in life should be a matter of deep concern to those who have the charge of him. This responsibility for local authority children should fall in the first place on the Children's Committee and its Children's Officer. Those in actual charge of the child, the superintendent of the Home or the foster mother with whom the child is boarded out should be brought

* Report of Home Office Committee on Salaries and Conditions of Service in Approved Schools and Remand Homes (1946) p. 30.

into consultation. The greatest care should be taken to recognise and develop his ability and aptitudes and to encourage him to think of the various possible careers open to him and the various kinds of education to which he may proceed. Such expedients as tours of neighbouring factories and the issue of booklets about careers should be freely used; some of them may already be available through the schools the child attends. The recreational activities of a Home should include films and books which illustrate life in various industries and other employments. For these children without the normal home background, the expectation of establishing themselves successfully in the world is particularly important, and every opportunity should be taken to make them feel their own worth as citizens and potential workers. As the child approaches school leaving age advantage should be taken of the advice of the Ministry of Labour or local education authority's Juvenile Employment Service, and the vocational guidance offered by the local authority in some areas. The children in the Home should be interviewed by the Juvenile Employment Officer and should be encouraged to express a personal preference in the matter of employment. The ideal to be aimed at is skilled advice in the selection of an occupation which nevertheless leaves the child with a sense of personal choice. A stereotyped placing of boys, e.g. as farm hands or army bandsmen, such as obtains in some voluntary Homes, is to be deplored.

503. In the past the assumption that domestic work is the only outlet for the girls in public authority or voluntary Homes has been far too prevalent, and there is a tendency even now to retain girls after school leaving age for the domestic duties of the Home. If a girl remains in the Home for domestic work for more than six months it should be with the knowledge that she is free to leave; and a definite change of status signified by a change of room and the payment of a wage should make it clear to her that she is now a paid employee. She should also in that case be given opportunities of taking a domestic training, e.g. classes at local technical institutes outside the Home. The same principle applies if she remains at the Home in an occupation which earns money for the Home (e.g. laundry work). She should be paid the normal wage for her age and out of that pay for her keep. If on the other hand she prefers a different type of occupation, e.g. factory work, dressmaking, clerical work, telephone operating, shop work or nursing, she should be helped to obtain the necessary opening or training. The principle that retention in the Home for domestic or other duties should involve payment of a normal wage and treatment as an employee applies of course equally to boys.

504. The best of the voluntary organisations already have good after care machinery and keep in touch with the child during his early years of independence and often later. In this respect we think that the after care of the local authorities should be developed. At present it tends to be impersonal. It should be impressed on any child going out into the world from a local authority's care that he has a permanent relation with the Children's Officer and may turn to her for advice between jobs and even use her office as a forwarding address for letters. There should be an arrangement as there is in voluntary Homes for entertaining boys and girls who have left the Homes as guests for their holidays. The relation should be such that any young person who gets into difficulties would turn to the Children's Officer as a matter of course. This should be a safeguard against exploitation or bad conditions for a child placed in resident employment.

505. Where the Children's Officer has obtained admission of a child in a voluntary Home she should discuss with the Juvenile Employment Officer and voluntary organisation his placing in employment and keep herself informed of his progress. Any " deprived " child going into employment in a strange place should be given the name and address of the Children's Officer of the district so that he may get into touch with her if he needs help. This applies

to approved school children as well as to others. We understand that the after care of approved school children is at present under the reconsideration of the Home Office and we make no other recommendation under that head.

506. It has been strongly represented to us by a number of witnesses that local authorities should provide more hostels for young people from their Homes who go out to work. We have considered this carefully, and while we agree that in places where there is great difficulty in securing accommodation the local authority should, indeed must, set up suitable establishments for the boys and girls concerned, we regard that as the last resort and should much prefer placing the young people in suitable lodgings or using existing hostels for working boys and girls run by voluntary bodies, where necessary with a subsidy from the Children's Committee. Our investigations have however shown that lodgings and voluntary hostels are not sufficient to take all who need accommodation of this type, and that there is definitely a need for more local authority provision, especially for girls. It should be observed that the opportunity of living in a hostel widens the boy's or girl's choice of employment, as the hostel forms a base from which vocational training, e.g. in trade schools, can be taken. It is important that adolescents coming from Homes should not be marked out from their fellows in any way, and the need for hostel accommodation with club facilities is very desirable not only for these boys and girls but for boys and girls from normal homes, who would we hope be admitted to local authority hostels.

507. We think the hostel should be provided in an ordinary house, with accommodation for not more than 12-20 boys or girls, as otherwise it tends to become too institutional. It should be comfortably furnished and there should be provision for a quiet room in which the boys or girls can read or study, and a games room. The staffing of such a hostel requires careful consideration. It is important that there should be a superintendent who really understands adolescents, and while not appearing to dictate to them as to how they should manage their lives can take a personal interest in their recreation and general well being. He or she should have a good knowledge of the various types of employment in the district, and should be in constant touch with the Juvenile Employment Office. One who has had experience in boys or girls clubs would often make a suitable superintendent. He or she should be paid a salary sufficient to attract a person of good standing and qualifications. The boys and girls should be treated as if they were lodgers in a private family but under friendly supervision. They would of course contribute towards the cost of their maintenance on a graduated basis according to their earnings, a minimum residue for pocket money and clothing being secured to them. During vocational training the authority should make an allowance for pocket money and clothing. There should be freedom for them to go in and out of the hostel in their leisure periods as they would in a private house, and to bring their friends home.

HANDICAPPED CHILDREN

508. Up to this point we have been dealing with children who are normal in body and mind, except in so far as they fall into the ' maladjusted ' category. The mentally or physically handicapped child presents different problems, most of which, and in particular the medical aspects, are outside our terms of reference. Some important considerations have, however, come under our notice to which we feel obliged to call attention.

509. One of the most serious problems we found on our visits was the result of the lack of adequate accommodation for the care of mentally defective children. Defective children were constantly found in Poor Law Institutions

for adults, in local authority children's Homes, in remand homes, in voluntary Homes, and although not physically ill, even in the wards of general hospitals. Their presence in the Homes is clearly detrimental to normal children both because of their behaviour and because of the fact that they prevent already overworked members of the staff from carrying on their ordinary work. It is bad also for the defective children who are not able to have the kind of care and training that they need. We understand that the knowledge that there is no room in the mental deficiency institutions and residential schools results in the children not even being referred to the appropriate authorities. We are informed that adequate provision for them has only been made in a very few areas under the Mental Deficiency Act of 1913 and the Education Acts, though the serious shortage of this provision was made clear by the Wood Report of 1929 where it was stated that " the number of institutions . . . is totally inadequate and must be increased, especially when regard is had to the far larger number of children who, in our view, should be notified in the future."* We recommend that an immediate census should be taken of ineducable children now in Public Assistance Institutions and children's Homes, and that the earliest possible steps be taken with a view to providing for them in properly staffed Homes or colonies.

510. Under the new arrangements we propose, it would be the duty of the Children's Officer to refer to the Mental Deficiency Committee any child under two years of age in her care whom she suspected of being mentally deficient and to bring to the notice of the education authority any child over two who she thought might be ineducable or in need of special educational treatment. We do not recommend any change in the present administrative arrangements, central or local, for mentally defective or educationally handicapped children.

511. The institutions for defective and educationally handicapped children which we visited were for the most part suffering severely from shortage of staff, and were in some instances also over-crowded. We were disquieted by the conditions in one or two of the privately run Homes catering for this type of child and receiving Poor Law children. A particular problem was raised by a private establishment combining a section approved by the Board of Control for the care of certified mental defectives and a section for backward boys run as a private establishment and receiving from local authorities a number of public assistance cases. The standard of care and of provision for training and occupation was at the time of our visit unsatisfactory, and we think that special attention should be paid to such private establishments for retarded children who may be placed by local authorities at some distance from their homes.

512. Our attention was drawn, both by witnesses and by officials of the local authorities with whom we conferred, to the pressing problem of epileptic children, particularly of those children who are epileptic and delinquent or epileptic and of low intelligence or markedly unstable. They are seldom suitable for admission to epileptic colonies (of which there is a lamentably insufficient provision) and are equally unsuitable for admission to approved or special schools with the result that they may be found living with normal children in children's Homes or left for many years in the wards of workhouses simply because no other place will acept them. Fortunately, such cases are not very numerous but the problems caused seem to be out of all proportion to the number of children, and we think that immediate action is called for. It seems likely that provision can only satisfactorily be made on a national or at least a regional scale on account of the comparatively small numbers.

* Report of the Joint Mental Deficiency Committee of the Board of Education and the

513. We were concerned to find on our visits that a few children not regarded by medical superintendents as suffering from mental illness or severe defect are admitted to mental hospitals under the Lunacy and Mental Treatment Acts. In the hospitals in which we found these children it had not been possible to make any separate provision for them, and they were associated with adult mental patients in the wards and in the day rooms. We had evidence from social workers in mental hospitals and the observation wards of public hospitals that children are not infrequently admitted to the wards, some of whom may become patients, on account of such problems as violent tempers, sex delinquency, larceny or wandering. Some particularly unstable boys and girls not suffering from any diagnosed mental illness are transferred under legal procedure from approved schools to mental hospitals when they become uncontrollable. The Medical Superintendents whom we consulted on our visits did not regard a mental hospital as a suitable place for the care of these boys and girls, and we think that steps should be taken at once to make alternative provision for them, or at least to see that they are cared for in a way which would not bring them into contact with adults suffering from mental illness.

514. In the case of the physically handicapped we have had evidence that in many hospitals insufficient attention is paid to the child's education and educative recreation. Even in hospitals where there is a recognised hospital school with qualified teachers and inspected by the Ministries of Health and Education, there may be many long hours in which the child is left without occupation for hands or mind. In some country hospitals no provision is made for education. We think that the Ministry of Health should urge upon all hospital authorities the importance of making arrangements for the education of children under their care and for the employment of skilled workers on the recreational side for the remaining hours not occupied by treatment or hospital routine. The child should not have added to his other hardships and sufferings the feeling that his years are being wasted so far as his mental development is concerned. Under the arrangements we have recommended it would of course be the responsibility of the Children's Officer to keep in touch with the " deprived " child who had gone from her care into a hospital, and make representations to the proper authority if she felt he was not getting the mental training and recreational help he needed and could benefit by.

EMIGRATION OF CHILDREN

515. We understand that organisations for sending deprived children to the Dominions may resume their work in the near future. We have heard evidence as to the arrangements for selecting children for migration, and it is clear to us that their effect is that this opportunity is given only to children of fine physique and good mental equipment. These are precisely the children for whom satisfactory openings could be found in this country, and in present day conditions this particular method of providing for the deprived child is not one that we specially wish to see extended. On the other hand, a fresh start in a new country may, for children with an unfortunate background, be the foundation of a happy life, and the opportunity should therefore in our view remain open to suitable children who express a desire for it. We should however strongly deprecate their setting out in life under less thorough care and supervision than they would have at home, and we recommend that it should be a condition of consenting to the emigration of deprived children that the arrangements made by the Government of the receiving country for their welfare and after care should be comparable to those we have proposed in this report for deprived children remaining in this country.

SUMMARY OF RECOMMENDATIONS

SCOPE OF PUBLIC CARE

1. The scope of public care should be extended to cover:

(i) children taken into the care of foster parents for reward who are over 9 years and not over 16 years of age;

(ii) children of all ages up to 16 taken into care of foster parents without reward (including children placed for adoption);

(iii) children in voluntary Homes now unregistered. (para. 424).

2. Local authorities should be under an obligation to undertake the care of children whom the Courts wish to commit to their care. (para. 425).

3. The Ministry of National Insurance should notify the local authority in all cases where a child's pension or additional allowance is payable to a person other than the mother, a close relative, or the legal guardian. (para. 424).

4. It is desirable that every orphan or deserted child maintained or supervised by the local authority who is without a legal guardian should have one appointed by the appropriate Court and the local authority should endeavour to bring this about. (para. 425).

ADMINISTRATION

5. Responsibility for the care of deprived children at the departmental level should be in one department in which should be concentrated the relevant powers under the Poor Law Act, Children and Young Persons Acts, Public Health Act and Adoption of Children Acts and which would define and maintain standards by inspection, advice and direction. (paras. 432, 434, 435).

6. Local authorities should have the immediate responsibility for the care of the children. (paras. 430-432).

7. All services by local authorities to deprived children should be subject to Exchequer grant. (para. 432).

8. The central department should be empowered to make Rules under which children may be boarded out or maintained in institutions; these rules should apply to voluntary organisations equally with local authorities. (paras. 432-433, 472, 492).

9. The central department should be empowered to give to local authorities directions enforceable by mandamus. (para. 432).

10. All voluntary Homes should be registered with and inspected by the central department. (paras. 433, 492).

11. Subject to 8 and 10, voluntary organisations should be free to continue their present activities in the care of children. (para. 433).

12. The inspecting staff employed by the central department should be brought up to the number necessary for the inspection of all children's Homes at least once a year. (para. 436).

13. The responsible local authority should be the county council or county borough council; but where the number of children to be cared for is not sufficiently large to justify the employment of a responsible executive officer, the Minister should constitute Joint Boards for two or more areas in combination. (paras. 438, 442).

14. Where the county or county borough council is the responsible authority it should work through a single *ad hoc* committee which would be responsible for the provision and administration of Children's Homes, for boarding out, for child life protection, for the local authorities' functions with

regard to adoption, and for the keeping of records of all deprived children in the area including particulars of those in voluntary Homes. The Joint Boards, where constituted, would have similar functions (paras. 440, 442).

15. The Children's Committee or Joint Board should appoint an executive officer of high standing and qualifications who would be a specialist in child care, and whose appointment would be subject to approval by the central department (paras. 441, 444, 446).

16. The various means of providing normal healthy children with a home, viz. adoption, boarding out and institutional care are to be considered in relation to the needs of the individual child. Subject to that consideration, and full safeguards, the order in which they are named is the order of preference (para. 447).

ADOPTION

17. The following changes are recommended in the law relating to adoption—

(1) A probationary period of not less than 3 months, with extension to 6 months at the discretion of the Court, should be required in all cases before an application for an adoption order is dealt with (para. 451);

(2) Children placed for adoption should be notified to the local authority in all cases (para. 452);

(3) During the probationary period all children placed for adoption should come under the supervision of the local authority's Children's Officer. It should be open to the authority to apply to a Court of summary jurisdiction or in emergency to a justice of the peace for an order to remove any such child from a detrimental environment (paras. 452, 454);

(4) Magistrates refusing an adoption order on the ground that the adoptive home is unsatisfactory should be empowered to make an immediate order committing the child to the local authority (para. 454);

(5) Private individuals should be prohibited from acting as adoption agencies (para. 455).

18. The Courts should be advised to appoint the Children's Officer as guardian *ad litem*, except where the adoption is arranged by the local authority (para. 453).

19. The regulations relating to applications for adoption orders should provide for (1) the medical examination of the child; (2) a declaration as to health by the adoptive parents and a medical examination in cases of doubt; (3) a declaration that they have not been refused an order by another Court in respect of any child (paras. 456, 457).

20. The staff employed by adoption societies for investigating homes should have similar qualifications to those of local authorities' boarding out visitors (para. 458).

BOARDING OUT

21. Boarding out is to be preferred to institutional care for children who are suitable for boarding out wherever entirely satisfactory homes can be found; and a vigorous effort should be made by local authorities to extend the system (paras. 461, 465).

22. A fresh attempt to secure the necessary foster homes should be made with the aid of appropriate national and local organisations (para. 465).

23. The investigation and approval of foster homes should be the duty of the local authority's Children's Officer (paras. 466, 467).

24. Other local authorities should not board out in the area except through the Children's Officer (para. 467).

25. No voluntary organisation should board children out except in homes approved by the Children's Officer (para. 467).

26. Payments to foster mothers should be standardised to cover the cost of maintaining the child. They should not include an element of remuneration (paras. 469-470).

27. While every effort should be made to place a child in a home of its own religious persuasion, the child should not be kept in a less desirable environment merely because this requirement cannot be met* (para. 472).

28. A staff of trained boarding out visitors should be available to the Children's Officer (para. 474).

29. Each boarded out child should be visited by a boarding out visitor not less often than once in every three months (para. 474).

30. Boarding out by private persons (" fostering ") should be under the supervision of the local authority which should be empowered to guarantee payments to approved foster parents and to recover from the parent or guardian (para. 475).

INSTITUTIONS OR RESIDENTIAL COMMUNITIES

31. The disadvantages of institutional life can be minimised by the development of the family group system in grouped cottage Homes or scattered Homes. A group of children should preferably occupy a separate dwelling, but where a large single building must be used the groups should be formed within the community (paras. 478, 484).

32. Local authority children's Homes should be entirely detached from adult Institutions (workhouses). Children other than babies with their mothers, should not be received into adult institutions except in emergency and then for not more than 24 hours (para. 480).

33. Reception centres should be set up in all areas and should serve as places of safety, remand homes for small children and places of preparation for boarding out or the children's Home (paras. 482-483).

34. The law should provide that children taken to a place of safety under the Children and Young Persons Act should be brought before a Juvenile Court without delay (para. 483).

35. Nurseries under specialised medical control should be established for infants (paras. 478, 481).

36. Family groups in Homes should not exceed 12 in number and ages and sexes should be mixed. 8 is the ideal number (para. 485).

37. The group of Homes should not be too large to be absorbed into the life of the neighbourhood (para. 489).

38. Brothers and sisters should be kept together if possible (para. 485).

39. Education should normally be given at the public primary and secondary schools of the neighbourhood (paras. 488-489).

40. Pending the coming into force of Part III of the Education Act, 1944, local education authorities should exert pressure to secure adequate education for children in Homes where the educational provision is unsatisfactory (para. 490).

41. The Charitable Trusts and Endowed Schools Acts should be reviewed so as to widen the powers of the Minister of Education to revise educational trusts not used in the best interests of the children concerned (para. 491).

42. The regulations referred to in 8 and accompanying instructions should give detailed guidance for the management of children's Homes. We make a number of suggestions for these regulations and instructions (para. 493).

* But see reservation on page 183.

43. Immediate hostel provision should be made for deprived children who are maladjusted (para. 495).

44. Deprived children suited to a boarding school education who are sent to local authority boarding schools set up under the Education Act, 1944, should have a foster home to go to for the holidays (para. 496).

APPROVED SCHOOLS

45. Approved schools should continue to be open to deprived non-delinquent children who would benefit from the regime (para. 498).

46. Magistrates should be empowered to commit children in need of care or protection to local authority boarding schools, and should arrange with education authorities for the admission of maladjusted children to hostels (para. 498).

47. Experiment and flexibility of treatment are required in the case of senior girls sent to approved schools (para. 499).

48. A child in need of care or protection should not be committed to an approved school unless there is known to be a vacancy (para. 500).

49. Specific obligations in connection with the provision of approved schools should be laid upon local authorities (para. 500).

REMAND HOMES

50. Remand homes should be used for short stay purposes only (including observation); special remand centres should be provided for prolonged observation (para. 501).

51. Children should not be committed to the ordinary remand home for punitive purposes (para. 501).

52. The period of stay should be used profitably for the children (para. 501).

53. Girls suffering from venereal disease should be segregated (para. 501).

54. Voluntary Homes established primarily for other purposes should not be used as remand homes unless they are staffed by trained and skilled persons (para. 501).

AFTER CARE

55. This should be a matter of deep concern. Great care should be taken to make the children aware of the possible careers open to them. Full use should be made of the Juvenile Employment Service. Girls and boys remaining in Homes on domestic work, or work earning money for the Home, should be treated as employees (paras. 502-503).

56. Any deprived child going into employment in a strange place should be enabled to get into touch with the Children's Officer of that area (para. 505).

57. Hostels for boys and girls from the Homes who go out to work should be provided by local authorities where no suitable lodgings are available (para. 506).

HANDICAPPED CHILDREN

58. The present shortage of accommodation and staff for mentally deficient children should be remedied as soon as possible. An immediate census should be taken of ineducable children now in workhouses or children's Homes with a view to make proper provision for them (para. 509).

59. Consideration should be given to the provision of more accommodation for certain groups of physically defective children—e.g. epileptics (para. 512).

60. More provision should be made in hospitals for education and recreational occupation for the physically handicapped (para. 514).

EMIGRATION

61. The emigration of deprived children should be subject to the condition that the receiving Government makes arrangements for their welfare and supervision comparable to those recommended in this report (para. 515).

TRAINING

62. Courses of training for boarding out visitors should be arranged with Universities. Central department inspectors should take parts of these courses where necessary (Appendix I).

We were very fortunate in having assigned to us as Joint Secretaries Miss D. M. Rosling of the Home Office and Mr. G. T. Milne of the Ministry of Health. They have not only made with unfailing competence the arrangements for the wide survey of existing homes for deprived children, but they have themselves taken a most useful part in our visits. We are also deeply indebted to them for the careful assembling of a mass of complicated material, for the help they have given us in understanding the working of the central and local government machinery, and for their share in the drafting of this Report.

MYRA CURTIS (Chairman)
S. CLEMENT BROWN
R. J. EVANS
LUCY G. FILDES
M. L. HARFORD†
SOMERVILLE HASTINGS
MARY L. KINGSMILL JONES†
JOHN H. LITTEN†
JOHN MOSS
HELEN MURTAGH†
MURIEL E. NICHOL
HENRY SALT
J. C. SPENCE
FRANCES TEMPLE†
S. O. WALMSLEY†
H. GRAHAM WHITE.

D. M. ROSLING, G. T. MILNE } Secretaries.

August, 1946.

† Subject to the reservation on p. 183.

RESERVATION ON RELIGIOUS CARE FOR BOARDED OUT CHILDREN

(See paragraph 472 of Report.)

We regard it as a matter of the first importance that all children who are boarded out in foster homes should receive adequate religious care.

While recognising the difficulty sometimes encountered of finding suitable foster parents of the same religious persuasion as the child, we feel that the carrying out of the Children and Young Persons' Boarding Out Rules may involve the child and the foster parent in a very real dilemma. One of the principal objects of boarding out consists in the opportunity provided for the child to become integrated with a particular family. This process must obviously be hampered where week by week the foster child is separated from the rest of the family in the intimate and homely relationships engendered by attendance at the same place of worship and Sunday School, in addition to any question of actual religious instruction in the family circle.

Accordingly, we recommend the adoption of a clause in the following terms, to be embodied in all boarding out rules:—

"The religious denomination of every child shall, where possible, be ascertained. Where that denomination is ascertainable as being Anglican, Roman Catholic or Free Church, a child shall not be boarded out or remain boarded out with a foster parent of a religious creed different from that of the child. Where no such home is available, consultation shall take place with persons representative of the denomination concerned with a view to finding the home required."

Unlike the rules relating to children in public assistance institutions and Homes, none of the present Boarding Out Rules contain any provision for religious care of the child whose denomination cannot be ascertained. Since such care is the right of all children we recommend the addition of a clause in the following terms:—

"Where the religious denomination of the child cannot be ascertained, the child shall be boarded out in a foster home where adequate religious care will be provided."

(Sgd.) M. L. HARFORD
MARY L. KINGSMILL JONES
JOHN H. LITTEN
HELEN MURTAGH
FRANCES TEMPLE
S. O. WALMSLEY

NOTE ON RELIGIOUS CARE

(See paragraph 493 (xvii) of Report.)

We are of the opinion that the rights of children as defined in the Poor Law Act of 1930 to have religious instruction suited to their age and capacity, and in accordance with any ascertainable religious persuasion of their parents, constitute a basic principle which should be maintained in any future legislation, and methods adopted to implement it.

Whatever the practice or lack of practice of the children's parents in this respect, the peculiar position of these children entitles them to the best that can be given in the way of religious care. From their earliest years they need the help which is found in a growing faith.

It was noted that in the majority of Homes apart from nurseries, there was some form of daily prayers, but there was also evidence of lack of knowledge of how to teach the practice of religion to little children, or how, for instance, to teach them to say simple prayers of their own. The effect of a different approach was noticeable in those Homes where the necessity of providing understanding help in this was recognised.

Since the guidance of children in their first approach to religion depends in large measure on those who stand in the relation of parents to them—we consider that all who are responsible for the selection of child care workers in children's homes should have regard to their ability to care for the religious development of children as well as their mental and physical well being. Further, we believe that the encouragement by all those who are responsible for the management of Homes of co-operation between those undertaking the child's religious education in church and school and those concerned with his home care, will do much to strengthen and help this vital side of their work.

(Sgd.) M. L. HARFORD
SOMERVILLE HASTINGS
MARY L. KINGSMILL JONES
JOHN H. LITTEN
HELEN MURTAGH
FRANCES TEMPLE
S. O. WALMSLEY

APPENDIX I

TRAINING IN CHILD CARE

Our Interim Report dealt with the training of house mothers and analogous staff. We now deal with the remaining categories which seem to us to need additional training.

Training of Boarding Out Visitors

1. The boarding out visitor must be capable of assessing the suitability of a foster home for the needs of a particular child, possibly for a long period of his life up to his entry into employment; of establishing friendly and helpful relations with the foster parents and co-operating with them for the good of the child; and of recognising quickly any change in the situation in the home which might be detrimental to the child, and taking or recommending the necessary action. The visitor needs for these purposes a working knowledge of social administration, skill in handling personal relations, an understanding of the characteristics and needs of normal children of different ages, and an acquaintance with the problems of behaviour and adjustment which are met with in children deprived of a normal home life. The visitor must be familiar with the available social, educational, religious and health services; should have a sound knowledge of the law and administration relating to child welfare, and of the functions of the Juvenile Court; and should be acquainted with the schemes of child care run by large voluntary organisations.

2. At present boarding out visiting is done by the following bodies:—

(*a*) Local authorities. Local authorities frequently employ their own Health Visitors or child protection visitors and, in some cases, have a special Children's Officer with a social science qualification;

(*b*) The Ministry of Pensions. The Ministry of Pensions employ their own Children's Officers, who receive departmental training at headquarters and " on the job ";

(*c*) Voluntary organisations. Voluntary organisations usually have their own staff of boarding out visitors or inspectors, sometimes with social science qualifications but generally trained on the job.

3. We heard evidence on the question of a national scheme of training for boarding out visitors from a number of employing bodies and from educational and social experts. The advice we have received is very diverse, ranging from satisfaction with training " on the job " to a recommendation in favour of a degree course related to social science, followed by a post graduate course directed specifically to boarding out work.

4. We have considered this advice very carefully and have come to the conclusion that the position to be aimed at is one in which recruits to boarding out visiting under the arrangements recommended in our Report would hold theoretical and practical qualification for this responsible work, and that the Central Training Council proposed in our Interim Report on Training in Child Care should also be responsible for organising courses for boarding out visitors. This training would, we think, also be of assistance to adoption society workers and to workers in other fields of local authority and voluntary services for children. It should be designed so as to cater both for students with good academic qualifications but no special training, and also for students who have had the professional training offered to those who enter the occupations of teaching and social work. We think the training should be of University standing. The courses should deal with child development, family life, social conditions, and social services and the agencies through which they are rendered. Where the subjects of the course are the same as those proposed in our Interim Report for house mothers, they would be taken on a considerably higher academic level.

5. Candidates qualified by education or training for admission to the course would be:—

(1) Graduates whose course has included some subject which would form a good background for a student entering the field of child welfare, e.g. psychology, sociology, philosophy or economics;

(2) Holders of a Social Science Certificate or Diploma;

(3) Holders of a Health Visitor's Certificate;

(4) Holders of a Child Care Certificate Part II as recommended in our Interim Report on Training in Child Care;

(5) Non-graduate trained teachers;

(6) Others whom the Central Council for Training in Child Care may consider to be qualified, on grounds, for example, of long experience, or good academic qualifications not covered by (1).

The most careful selection of candidates for personal suitability must be a necessary preliminary to admission to the course. The Central Council should set up a suitable selecting body for this purpose and the selected candidates should be recommended to the Universities for acceptance.

6. We think that of the year of training practical work should occupy between one third and one half. This is intended to include practical work in the long vacation. The aim of practical training would be to give the student experience of the ordinary needs of children of different ages, as well as to train them for the actual work of boarding out. Students who had not already had direct experience with children could have this arranged in children's Homes, camps, clubs, or play centres, or through the various services to children in their own homes. The main part of the practical training would, however, consist of the actual boarding out and visiting of children under skilled supervision. We understand that this supervision could be offered by the Ministry of Pensions, which has a sound training scheme already in operation, and with a diminishing load of work and consequent reduction in its own recruitment could use this machinery to train fresh workers for the local authorities and voluntary organisations. Those of the local authorities and voluntary organisations which employ trained and experienced social workers could also undertake practical training.

7. As far as possible this new course should be co-ordinated with existing facilities for the study of child welfare in the Universities. It would in our view be essential that it should be undertaken in Universities and colleges already providing training for social workers, particularly where there also exists a chair

of Child Health. It is also hoped that the Social Science and Education Departments would collaborate in the teaching arrangements. As the numbers will not be large it will be as well to concentrate the teaching at a few Universities. We consider that courses might be run at three or four Universities in England and Wales. If a course is established in Scotland there would be advantages in co-ordinating the English and Scottish courses so that Scottish candidates could take a post in England and vice versa. The English Universities selected should be in different parts of the country and should preferably be those which already have a faculty of Social Studies in close relation with the faculty of Medicine.

8. There should be some degree of flexibility in the course so as to adapt it to the needs of candidates of different previous experience and training. For example, a Health Visitor will need training in child development but can omit the parts of the course dealing with physical health; while the trained teacher will need to give more time to the social background and less to child development. We are satisfied that valuable elements could be used from existing courses if there were consultation between the Central Council for Training in Child Care and other training agencies.

9. As regards the boarding out visitors already employed, we think it will be necessary for a period to run short courses of the type which the Provisional National Council for Mental Health has already conducted with success. It might be possible to arrange for such courses of a few weeks in length to be run by the extra-mural departments of selected Universities. This could be done in conjunction with groups of local authorities, who would probably find it more convenient to give candidates leave to attend a central course than to run courses independently.

10. We recognise that the flow of recruits from the courses recommended in our paragraphs 4-8, though beginning, we hope, at an early date, would not at first be sufficient to meet the needs of employing bodies. For purposes of emergency recruitment the qualifications listed in paragraph 5, subject always to personal suitability, may suffice, though we recommend that entrants should take, before or after appointment, the short theoretical course recommended in paragraph 9 for existing staff. If it could be combined with some practical experience under supervision with, e.g. the Ministry of Pensions or Dr. Barnardo's boarding out visitors so much the better. After a period of about ten years the new qualifications for admission to boarding out visiting should be well established and there should be no need to provide special training for visitors appointed without those qualifications.

11. We think that approved candidates for the boarding out visitors course should receive where necessary assistance in the form of bursaries from public funds, and that financial assistance should also be given to candidates taking the short courses referred to in paragraph 9.

Training of Inspectors

12. We assume that the inspectorate of the central department will be to a large extent recruited from persons who have had experience in the various forms of child care dealt with in this Report, and will have qualifications at least equal to those of Children's Officers. Their specific training will no doubt be, as at present, " on the job "—i.e. the inexperienced inspector will work for a time under the supervision and with the guidance of an experienced inspector. There may however be from time to time suitable recruits to the inspectorate who have special knowledge of one side of child care but whose experience has not covered the whole field. We think that arrangements should be made with the Universities for the admission of such persons to those parts of the theoretical and practical courses we have suggested for boarding out visitors which they have not covered in their previous studies, and that they should be required to attend as part of their training.

APPENDIX II

LIST OF WITNESSES

The following organisations and individuals* gave evidence before the committee:—

Organisation	Represented by
Association of Education Committees.	Sir Peter D. Innes, C.B.E., M.A., D.Sc. Alderman Wright Robinson, J.P. Mr. F. Barraclough, M.A. Alderman Mrs. E. Gregory, O.B.E., J.P. Mr. Thomas Walling, M.A. Dr. W. P. Alexander, Ed.B., M.A., B.Sc.
Association of Headmasters and Headmistresses of Approved Schools.	Miss S. Raby. Mr. J. Vardy. Mr. N. H. Mattock.
Association of Municipal Corporations.	Mr. S. Moffett. Mr. W. Stansfield. Dr. H. Paul, M.D., D.P.H. Mr. G. H. Banwell.
Dr. Barnardo's Homes	Mr. P. T. Kirkpatrick. Mr. E. H. Lucette. Miss Chavasse. Mr. T. F. Tucker. Miss D. M. Dyson. Mr. F. J. Potter. Dr. H. C. Gilmore, L.R.C.P.I., L.R.C.S.I.
City of Birmingham Maternity and Child Welfare Department.	Dr. Jean Mackintosh, M.D., D.P.H. Dr. E. Badenoch, M.D. Miss M. Slack. Miss L. Parker. Miss N. M. Jones. Miss M. Osborne.
Board of Control	Dr. W. Rees Thomas, M.D., M.R.C.P. Miss R. Darwin, C.B.E. Mr. F. Chanter. Mr. H. C. Bleakley.
British Federation of Social Workers.	Miss D. C. Keeling, J.P., M.B.E. Miss E. Kennedy. Miss R. Duncan. Mrs. I. Turner. Mrs. K. MacDougall. Miss B. Bliss.
British Medical Association ...	Dr. R. G. Gordon, D.Sc., M.D., F.R.C.P. Dr. W. F. Gaisford, M.D., F.R.C.P. Dr. H. C. Gilmore, L.R.C.P.I., L.R.C.S.I. Dr. C. O. Stallybrass, M.D., D.P.H. Dr. A. V. Kelynack, M.D.
Catholic Adoption Societies ...	The Right Reverend Monsignor Canon G. L. Craven.
Catholic Child Welfare Council ...	The Right Reverend Monsignor Canon G. L Craven. The Very Reverend Canon J. Bennett. The Reverend W. J. Sewell. The Reverend J. F. Healey. The Reverend W. Flint.
Children's Aid Society	Lt.-Col. Herbert Glanfield, O.B.E.

* The list excludes those appearing before sub-committees or heard in private for special

Organisation	Represented by
Church of England Children's Society (formerly Waifs' and Strays' Society).	Col. The Hon. E. Wyndham, D.S.O. Dr. C. Corfield, M.R.C.S., L.R.C.P. Mrs. Rupert Scott, O.B.E. Mr. W. R. Vaughan, O.B.E. Miss M. deM. Rudolf.
Cornwall County Council... ...	Mr. S. P. Heath. Miss Goodwin.
County Councils Association ...	Sir Joseph Lamb. Sir James Aitken. Mr. R. Beloe. Dr. C. F. Brockington, M.D., D.P.H. Mr. F. B. Matthews, M.B.E.
Doncaster and District Council of Social Service.	Miss E. D. Evans. Dr. R. W. L. Ward, M.B., Ch.B.
Durham County Council	Mr. T. B. Tilley. Mr. R. B. Hindmarsh, O.B.E. Dr. Ian McCracken, M.B., Ch.B., D.P.H.
Essex County Council	Mr. Higham. Miss E. K. Trillwood. Mr. E. O. Page.
Fairbridge Farm Schools	Mr. Gordon Green. Miss Ellen Hart.
Family Welfare Association (formerly the Charity Organisation Society).	Mr. B. E. Astbury, O.B.E.
Federation of Committees for the Moral Welfare of Children.	Miss van Gysegham. Mrs. Miller.
Home Office—	
Children's Branch	Mr. L. N. Blake-Odgers, M.C. Miss A. M. Warner. Miss W. M. Goode. Mr. F. L. Haigh.
Probation Branch	Mr. B. J. Reynolds, O.B.E. Miss K. P. Williams.
The Howard League for Penal Reform.	Mrs. Madeleine J. Robinson, J.P. Miss C. Craven, J.P.
The Incorporated Association of Headmasters.	Dr. C. F. Jones. Mr. H. Raymond King. Mr. E. J. R. Potter.
Invalid Children's Aid Association	Miss H. C. Davidson. Miss N. R. Manson. Miss F. H. Wynne.
Jewish Association for the Protection of Girls, Women and Children.	Mrs. M. M. Keyser. Miss M. Moses, O.B.E., J.P. Miss E. Rollin. Miss N. Lawrence.
Jewish Board of Guardians ...	Capt. F. R. Waley, M.C. Mr. Sidney Spanjer. Mr. H. Gee. Mr. Mark Fineman.
The Jewish Orphanage, Norwood	Mr. Basil I. Q. Henriques, J.P. Mr. I. Statman.

Organisation	Represented by
London County Council	Councillor I. J. Hayward. Councillor Mrs. F. Corbet, M.P. Sir Allen Daley, M.D., F.R.C.P., D.P.H. Dr. Bertha Sharpe, M.B., Ch.B., D.P.H. Dr. H. Smith, M.R.C.S., L.R.C.P., D.P.H. Mr. E. G. Savage. Col. E. Eton. Miss C. L. Goble. Mr. C. S. Petherham. Mr. C. H. Osbourn. Mr. H. R. Oswald.
Magistrates' Association	The Lady Cynthia Colville, D.C.V.O. Miss E. H. Kelly, C.B.E., J.P. Mr. N. V. Kenyon, B.Sc., J.P. Mrs. Madeleine J. Robinson, J.P. Mr. J. A. Rose, J.P. Miss A. Lenton. Miss de Blank.
Ministry of Education	Mr. J. H. Burrows. Mr. G. R. Hughes. Dr. J. E. A. Underwood, M.R.C.S., L.R.C.P., D.P.H. Dr. A. F. Alford, M.B., Ch.B. Mr. H. A. Jenkin. Mr. J. Lumsden.
Ministry of Health	Mr. S. F. Wilkinson. Mr. G. A. N. Lowndes. Mr. J. N. Beckett. Miss Z. L. Puxley. Mr. Howell E. James. Mr. H. H. Turner. Miss G. M. Aves. Miss E. Alden. Mrs. M. E. Coales.
Ministry of Pensions	Mr. H. Parker. Mr. F. G. Hinks. Miss N. K. Rodwell.
National Adoption Society ...	Lady Gweneth Cavendish. Miss H. M. Blackburne.
National Association of Administrators of Local Government Establishments.	Miss Platt, J.P. Mr. Pitt-Steele. Mr. W. Watterson. Mr. R. W. Ramsay, M.B.E.
National Association of Local Government Social Welfare Officers.	Mr. W. S. Newberry. Mr. A. S. Willis. Mr. J. A. Mustard.
National Association of Maternity and Child Welfare Centres and for the Prevention of Infant Mortality.	Dr. Ashleigh Glegg, M.D., D.P.H. Dr. Mary Gorie, M.D., D.P.H. Miss M. Glazier. Mrs. Kent Parsons, M.B.E. Miss M. R. Lovelock.
National Association of Probation Officers.	Miss N. Ralli. Mrs. D. W. Leatherdale. Mr. E. W. Cole. Miss E. M. Hughes.

Organisation	Represented by
National Baby Welfare Council ...	Dr. D. H. Geffen, M.R.C.S., L.R.C.P., D.P.H. Miss Gladys Sandes, F.R.C.S. Dr. D. Jolly, M.R.C.S., L.R.C.P., D.P.H. Mrs. Rupert Scott, O.B.E.
National Children's Home and Orphanage.	The Rev. John H. Litten. Mrs. A. D. Kinsman, B.A. Miss A. A. M. Wilson, M.A. The Rev. C. F. Walpole. The Rev. J. W. Waterhouse, M.A., B.D.
National Federation of Women's Institutes.	Mrs. Vernon, J.P. Miss Comber, J.P. The Hon. Frances Farrer.
National Institute for the Blind ...	Mr. W. McG. Eagar. Miss Ruth Thompson.
National Society for the Prevention of Cruelty to Children.	The Rev. W. N. McCann. The Hon. D. Smith. Mrs. Scott Cater. Mr. J. T. Griffiths. Mr. C. Cooke.
National Union of Teachers ...	Mr. H. H. Cartwright. Mr. C. A. Roberts, J.P. Mr. W. Easterby, M.A., M.Litt. Mr. R. F. G. Henderson, O.B.E. Mrs. E. V. Parker. Mr. W. Griffith, M.A.
Nottinghamshire County Council...	Councillor C. C. Kirk. Mr. G. Revell, M.A. Miss M. A. Beeby.
Provisional National Council for Mental Health.	Miss Evelyn Fox, C.B.E. Alan Maberley, M.A., M.B., B.Ch. Dr. F. Bodman, M.D. Miss R. Thomas, B.A. Miss R. S. Addis.
Refugee Children's Movement, Ltd.	Mrs. D. H. Hardisty.
Shaftesbury Homes and "Arethusa" Training Ship.	Mr. F. H. Clayton. Mr. L. Pierce. Mr. F. B. Pelly.
Shaftesbury Society	Mr. A. Goodman. Mr. J. Rider Smith. Miss Mary Simpson, M.A. Mr. J. Riding. Mr. Clifford Carter.
West Riding of Yorkshire County Council.	Mr. L. Richmond, C.B.E. Mrs. M. Whitehead. Mrs. Stewart. Dr. J. M. Anderson, M.R.C.S., L.R.C.P. Miss O'Brien. Mr. C. C. Archer.
Women Public Health Officers' Association.	Miss A. Sayle. Miss F. B. Goodall. Miss E. G. Couzens. Miss E. K. Trillwood. Miss E. Ramage.

Lady Allen of Hurtwood.
Mrs. Birch-Reynardson.
Miss D. F. A. Blizzard, Organising Secretary, Birmingham Diocesan Council for Moral Welfare.
Lt.-Col. John Bowlby, M.D., R.A.M.C.
Miss M. Brearley, Lecturer on Education, University of Birmingham.
Miss Clare Britton.
Mrs. I. Brogden Carter, O.B.E., Children's Officer, Cheshire County Council.
Mr. W. T. Glass, Public Assistance Officer, Somerset County Council.
Miss Eileen Griffin, Chief Welfare Officer, Children's Aid Society of Canada.
Dr. Susan Isaacs, M.A., D.Sc., Psychologist to London Clinic of Psycho-Analysis.
Miss M. Mellanby, Prison Commissioner.
Dr. A. H. Norris, C.B.E., M.C., M.R.C.S., L.R.C.P., D.P.H., formerly Chief Inspector, Children's Branch, Home Office.
Miss Leila M. Rendel, Hon. Director the Caldecott Community.
Miss D. Peto, O.B.E., Superintendent of Metropolitan Women Police.
Mr. Alun Price.
Capt. Julian Snow, M.P.
Mr. W. J. Taylor.
Dr. D. W. Winnicott, M.R.C.S., M.R.C.P.

The following also submitted memoranda which were considered by the committee :—

St. Albans and District Council of Social Service.
Association of Headmistresses.
Association of Psychiatric Social Workers.
Central Council for the Social Welfare of Girls and Women in London.
Church Army.
Church of England Moral Welfare Council.
Lancashire County Council.
Manchester Education Committee, Juvenile Employment Bureau.
Metropolitan Boroughs Standing Joint Committee.
Ministry of National Insurance.
Montessori Society.
Müllers Orphan Homes.
National Council of Social Service (Committee on Adoption).
National Council of Women.
Progressive League.
Royal College of Nursing (Public Health Section).
Society of Medical Officers of Health.
Southern Railway Servants Orphanage.
Standing Joint Committee of Working Women's Organisations.
Tyneside Council of Social Service.
Young Women's Christian Association of Great Britain.
Miss M. W. Barnes, ex-Matron Surrey County Council, Scattered Homes.
The Rt. Hon. Ernest Bevin, P.C., M.P. (then Minister of Labour).
Mrs Helen Donnington (pamphlet the "Care of Homeless Children").
Dr. Michael Fordham, M.B., M.R.C.P.
Mr. Alfred Gottlieb.
Lady Gunston.
Mrs. M. M. Harvey, J.P.
Lady Langman.
Miss Irene Maguiness.
Mr. L. Willshire, Superintendent, Hollybrook Children's Homes, Southampton.

INDEX

	Paragraphs
Accommodation	141–148, 167–172, 234–236, 277, 287–289, 328, 486.
Administration—	
" Ad hoc " Committee... ...	439, 440.
Guardians Committee	107–111, 113, 115, 123, 129.
Education Committee	112, 117, 120, 121, 123, 130–132, 284, 314, 439, 440.
Maternity and Child Welfare Committee.	64, 118, 439.
Public Assistance Committee...	13, 14, 107–123, 129–132, 439, 440.
Public Health Committee ...	117, 118, 120, 121, 130, 134, 135, 481.
Unification of Responsibility—	
Government Departments ...	98, 429–437, Recommendation 5.
At Local Authority level ...	14, 98, 122, 130, 429, 431–434, 438–440, Recommendations 13–14.
Adoption—	
General	6, 10, 77–84, 440, 444, 448–459, Recommendations 17–20.
Adoption of Children Act (1926)	77, 435, 440, 448.
Adoption of Children (Regulation) Act (1939).	80, 449, 455.
Interim Orders	78, 451.
Medical Examination	456, Recommendation 19.
Rules	82.
Societies...	80–82, 440n, 449, 451, 454, Recommendation 20.
Third Party	83, 449, 454, 455.
" Adoption " (Sec. 52, Poor Law Act, 1930).	19, 28, 29, 97, 425, 451, 460.
After Care—	
General	502–507, Recommendations 55–57.
Approved Schools	43, 309–312.
M.D. Children	335, 336.
By Local Authorities	222–224, 280, 281, 377, 440n, 504–507.
By Voluntary Societies ...	269–271, 504.
Approved Schools...	4, 6, 37–44, 52, 60–63, 98, 283–312, 316, 402, 404, 414, 419, 433, 448, 497–500, Recommendations 45–49.
Approved Schools (Classifying Schools).	41, 285, 286, 501.
" Barrack " Homes	159, 169, 230, 233–235, 241, 265.
Blind Children	27, 86, 337, 339, 344, 411.
Board of Control	65, 73, 91, 327, 434, 511.
Boarding Out—	
General	347–396, 420–422, 460–474, Recommendations 21–30.
Children and Young Persons Act, 1933.	46–49, 61, 73, 112, 460, 461.
By Education Authorities ...	129–132, 135, 460.
Foster Homes, Shortage of ...	460, 463, 464.
Foster Parents	353–356, 367–370, 374, 379, 380, 389, 393, 465–472, Recommendation 26.
By Ministry of Pensions ...	97, 387–396.
Outside the Authority's own Area.	133, 134, 444, Recommendation 24.
Poor Law	18, 22, 28, 48, 73, 129–132, 135.
Boarding Out—*cont.*	Paragraphs
Rules	46–48, 61, 429, 435, 460, 472, Recommendation 8.
Scales of Payment to Foster Parents.	49, 359–363, 391, 392, 469, Recommendation 26.
Visitors	348–352, 474, Appendix I.
Voluntary Organisations ...	230, 372, 382–386, 460.
Brothers and Sisters	375, 485, Recommendation 38.
" Care or Protection "	10, 37, 54, 99, 415, 425, 483, 497, 498, 500, Recommendations 46, 48.
Child Guidance Clinics	127, 149, 220, 266, 501.
Child Life Protection	6, 48, 70–76, 412, 424, 433, 440n.
Child Protection Visitors... ...	71, 75, 130, 411, 454.
Children's Officers—	
Local Authorities	440n, 441–446, 452–454, 465–467, 474, 475, 502, 504, 505, 510, Recommendations 15, 17, 18, 23–25, 28, 56.
Ministry of Pensions	97.
Children and Young Persons Act, 1933.	4, 20, 35, 37–62, 65, 97, 112, 435, 440, 454, 483, 497, 500, 501.
Clothing	189, 242, 294, 494.
Contact with the outside world ...	199–201, 229, 256, 264, 268, 269, 287, 298, 334, 487, 488, 493.
Contact with Relatives	202–204, 257–259, 299.
Convents	268.
Corporal Punishment	214, 262, 304, 322, 493 (xviii).
Cottage Homes (*see* also " Grouped Homes ").	24, 109, 118, 120, 158, 161, 162, 175, 179, 185, 199, 200, 211, 212, 230, 233, 236, 484–486, Recommendation 31.
Criminal Justice Act (1925) ...	55.
Criminal Responsibility, Age of ...	37, 483.
Crippled Children (*see* also " Education ").	10, 337–346, 514, Recommendation 60.
Diet...	187, 188, 243–245, 292, 317, 493 (vii.)
Domestic Work—	
As a career for " deprived " children.	191, 194, 222, 248, 296, 335, 336, 503.
Done by children in Homes ...	190, 191, 247–249, 485, 493 (xv).
Education—	
Approved Schools	295, 296.
" Barrack Schools "	496.
Boarded out Children	376.
At Boarding Schools	496.
For crippled children	341–343, 345, 346, 514, Recommendation 60.
At schools in Homes	249, 250 490, Recommendation 40.
At Local Schools outside the Homes.	193, 250, 320, 489, Recommendation 39.
Nursery Schools	192, 250, 416, 478, 488.
Remand Homes	319–321.
Residential Special Schools ...	16, 34, 85–88, 210, 316, 327, 332, 333.
Secondary and Higher... ...	193, 489.
In Workhouses	153.
Emigration	20, 515, Recommendation 61.
Employment (*see* also " After Care ", " Domestic Work " and " Laundry Work ").	251, 269–271, 280, 309–312, 377.

	Paragraphs
Endowed Schools Acts	491.
Enforcement, Departments' powers of.	432, 433, Recommendation 9.
Enuresis	214, 215, 217, 265, 285, 367.
Epileptic Children	86, 149, 325, 512, Recommendation 59.
Evacuation	10, 28, 33–36, 133.
Family Allowances	476.
" Fit Persons "	37, 45–49, 60, 63, 98, 126, 129, 130, 316, 425, 435, 443, 460.
" Fostering "	70–76, 378, Recommendation 30.
Grants from Exchequer	30, 34, 49, 55, 57, 58, 60, 432, Recommendation 7.
Grouped Homes (*see* also " Cottage Homes ").	479, 484, Recommendations, 31, 36, 37.
Guardians—	
For Orphans and Deserted Children.	19, 424, 425, 443, Recommendation 4.
ad litem	77, 440, 453, Recommendation 18.
Handicapped Children	27, 34, 85–8, 325–346, 508–514, Recommendations 58–60.
Health Visitors	31, 75, 86, 130, 378, 381, 441, 449, 474.
Holidays	205, 259, 300, 333, 334, 493 (xiii), 496, 498, Recommendation 44.
Hostels—	
After-Care	506, 507, Recommendation 57.
Approved by Home Office ...	6, 57–59, 63, 272–282, 408.
Attached to Approved Schools	296, 499.
For difficult or maladjusted children.	35, 495, 498, 501, Recommendations 43, 46.
Evacuation	34–36.
Local Authorities	272–282.
Voluntary Societies	272–282.
Illegitimate Children	225, 376, 378, 424, 444, 475.
Inspection—	
General	397–414.
By Board of Control	68, 69, 98, 409.
By Home Office	48, 51, 59, 62, 65–68, 98, 402–405, 407, 408, 414.
Homes, etc., not inspected ...	56, 64, 69, 98, 229, 403, 424.
By Local Authorities	19, 21, 28, 48, 98, 108, 113, 115–117, 348–352, 355, 356, 371–373, 412, 433, Recommendation 29.
By Ministry of Education ...	68, 69, 87, 402, 405, 410, 411.
By Ministry of Health... ...	21, 28, 31, 64, 68, 69, 98, 111, 398–401, 402, 403, 412.
By Ministry of Pensions ...	96, 97, 388, 394–396, 402.
Juvenile Courts	10, 37, 38, 98, 483, 497, 501.
Laundry Work	247, 251, 503.
Local Committees...	123, 228, 348, 419, 493 (i).
Maladjusted Children	215–220, 323, 494, 495, Recommendation 43.
Medical Care	48, 135, 182–185, 246, 276, 293, 318, 365, 366, 390, 493 (v).
Mentally Defective Children ...	89–94, 98, 149, 150, 216, 306, 325–336, 509–511, 513, Recommendation 58.

	Paragraphs
Nurseries	34, 64, 117, 118, 128, 144–146, 154, 157, 158, 161, 165, 212, 213, 238, 416, 479–482, Recommendation 35.
Observation Centres	501, Recommendation 50.
" Places of Safety "	20, 52, 72, 139, 140, 483, Recommendations 33, 34.
Play facilities for children ...	153, 195–199, 208–211, 218, 252, 253, 268, 341.
Pocket Money	34, 49, 206, 251, 255, 274, 301, 304, 392, 493 (xii), 507.
Poor Law	6, 10, 12–32, 99.
Poor Law Act, 1930	4, 12–32, 112, 432, 435, 439–440.
Private Possessions	208, 254, 302, 486, 493 (x).
Probation	38, 43, 53–60, 62, 63, 272–282.
Public Assistance Institutions (Workhouses)	20, 23, 32, 89, 93, 98, 107, 115–117, 136–156, 163, 415, 480, 509, 512, Recommendations 32, 58.
Public Health Act, 1936	10, 64, 70, 435, 440.
Public Health (London) Act, 1936	70.
Punishments	214, 247, 261–263, 279, 303–306, 322, 493 (xviii).
Reception Centres	24, 166, 178, 179, 232, 482–484, Recommendation 33.
Records of Children	124, 385, 395, 440n, 493 (iv), Recommendation 14.
Religion	221, 225, 237, 267, 268, 307, 472, 493 (xvii), Recommendation 27, page 183.
Remand Homes	6, 38, 50–52, 60–63, 98, 313–324, 407, 414, 483, 497, 501, 509, Recommendations 33, 50–54.
Scattered Homes	24, 158, 163, 164, 170, 177, 191, 198, 201, 208, 230, 479, 487, Recommendation 31.
Staffs—	
Approved Schools	290, 291.
Homes	151, 173–179, 237–239, 418, 419, 493 (ii).
M.D. Institutions	329, 330.
Remand Homes	324.
Training—	
Boarding out Visitors ...	Recommendation 62, Appendix I, 1–11.
Government Inspectors ...	Recommendation 62, Appendix I, 12.
Staffs of Homes (*see* Cmd. 6760 (Interim Report of the Committee)).	
War Orphans	95–97, 98, 99, 430, 435.
Workhouses (*see* Public Assistance Institutions).	

(52644) Wt. 1590—26 10/46 D.L. G. 373

STATUTORY INSTRUMENTS

1951 No. 1217

CHILDREN AND YOUNG PERSONS

LOCAL AUTHORITY AND VOLUNTARY HOMES

The Administration of Children's Homes Regulations, 1951

Made - - - -	*5th July,* 1951
Laid before Parliament	*7th July,* 1951
Coming into Operation	*1st September,* 1951

I hereby make the following Regulations in pursuance of subsection (4) of section fifteen of the Children Act, 1948(**a**), in so far as they relate to the exercise by local authorities of their functions under the said section, the conduct of homes provided thereunder and the securing of the welfare of the children in the homes and in pursuance of section thirty-one of the said Act in so far as they relate to the conduct of voluntary homes and the securing of the welfare of the children therein.

PART I

LOCAL AUTHORITY HOMES AND VOLUNTARY HOMES

General principles of administration

1. The administering authority shall make arrangements for every home provided, or as the case may be, carried on by them to be conducted in such a manner and on such principles as are calculated to secure the well-being of the children in the home.

Visits by administering authority

2.—(1) The administering authority shall make arrangements for the home to be visited at least once in every month by a person who shall satisfy himself whether the home is conducted in the interests of the well-being of the children and shall report to the administering authority upon his visit and shall enter in the record book referred to in paragraph 3 of the Schedule hereto his name and the date of his visit.

(2) Where the administering authority is a local authority the arrangements shall secure that the person visiting is a member of the children's committee of the local authority, a member of a sub-committee established by that committee or such officer or one of such officers of the local authority as may be designated by the arrangements.

Person in charge of home

3.—(1) The administering authority shall appoint a person to be in charge of the home:

Provided that where a person is in charge of the home immediately before these Regulations come into force that person shall be deemed to have been appointed to be in charge of the home under this paragraph.

(a) 11 & 12 Geo. 6. c. 43.

(2) The person in charge of the home shall compile the records referred to in the Schedule to these Regulations and shall keep them at all times available for inspection by any person visiting the home under Regulation 2 of these Regulations and by any inspector appointed by the Secretary of State.

(3) The person in charge of the home shall be responsible for the custody of the medical record of each child and shall at all times keep them available to the medical officer, to any inspector appointed by the Secretary of State and to any person specifically authorised to inspect them by the administering authority.

Religious instruction

4. The administering authority shall secure that each child attends such religious services and receives such religious instruction as are appropriate to the religious persuasion to which he belongs and are practicable in all the circumstances of the case.

Medical care

5.—(1) The administering authority for each home which they provide or, as the case may be, carry on shall appoint a medical officer.

(2) The duties of the medical officer shall include—

(i) the general supervision of the health of the children (excluding their dental health) ;

(ii) the general supervision of the hygienic condition of the premises ;

(iii) attendance at the home at regular intervals and with sufficient frequency to ensure that he is closely acquainted with the health of the children ;

(iv) the examination of the children at regular intervals ;

(v) the provision of such medical attention as may be necessary other than dental treatment ;

(vi) the giving of advice to the person in charge of the home on any matters affecting the health of any of the children therein or the hygienic condition of the premises ;

(vii) the supervision of the compilation of a medical record for each child accommodated in the home containing particulars of the medical history of the child before admission, so far as it is known, his physical and mental condition on admission, his medical history while accommodated in the home and his condition on discharge from the home.

(3) Notwithstanding anything in the preceding provisions of this Regulation the administering authority may appoint more than one medical officer and may divide the preceding duties among them as they see fit.

Dental care

6. The administering authority shall make suitable arrangements for the dental care of the children in the home.

Notification of death, illness or accident

7.—(1) Where the administering authority is a local authority that local authority, and in any other case the person in charge of the home, shall forthwith notify the Secretary of State—

(i) of the death of any child in the home and of the relevant circumstances ;

(ii) if known to the local authority or, as the case may be, the person in charge, of the death of any child formerly in the home who dies within two months of ceasing to be in the home and of the relevant circumstances in so far as they can by reasonable enquiry be ascertained ;

(iii) of any outbreak among the children in the home under five years of age of infective gastro-enteritis and of any outbreak of any infectious disease among such children which the medical officer states to the person in charge of the home to be sufficiently serious to be so notified.

(2) Where the administering authority is a local authority that local authority, and in any other case the person in charge of the home, shall forthwith notify—

(i) the death of any child in the home and the relevant circumstances ;

(ii) any accident to any child in the home or illness from which such a child suffers which the medical officer states to the person in charge of the home as sufficiently serious to be so notified,

to the parent or guardian of the child and, if the child is in the care of a local authority, being a child as respects whom Part II of the Act applies, and that local authority is not the administering authority of the home, to the said local authority.

Consultation with fire authority

8. If the administering authority is not the fire authority within the meaning of the Fire Services Act, 1947(**b**), of the area in which the home is situated they shall consult the fire authority on fire precautions in the home.

Fire drill

9. The administering authority shall make arrangements to secure by means of fire drills and practices that the staff in the home, and so far as practicable the children, are well versed in the procedure for saving life in case of fire.

Notification of outbreaks of fire

10. The administering authority shall notify the Secretary of State forthwith of any outbreak of fire in the home necessitating the removal of any children from the home or that part of it in which fire breaks out.

Punishment

11.—(1) No corporal punishment except that authorised by paragraph (3) of this Regulation shall be administered by any person except the person in charge of the home or in his illness or absence his duly authorised deputy.

(2) No corporal punishment shall be administered to a girl who has attained the age of ten years or to a boy who has attained the age at which he is no longer required by law to attend school (hereafter referred to as " school leaving age ").

(3) No corporal punishment shall be administered to a child under ten years of age except by smacking his hands with the bare hand of the person administering the punishment.

(4) No corporal punishment shall be administered to a boy who has attained the age of ten years but has not attained school leaving age except the caning of the posterior of the boy with a cane of a type approved by the Secretary of State applied over the boy's ordinary clothing to the extent of six strokes or less.

(**b**) 10 & 11 Geo. 6. c. 41.

(5) No caning shall be administered in the presence of another child.

(6) No corporal punishment shall be administered, without the sanction of the medical officer for the home, to any child known to have any physical or mental disability.

PART II

ADDITIONAL PROVISIONS RELATING ONLY TO VOLUNTARY HOMES

Limitation of numbers to be accommodated

12.—(1) The Secretary of State may give directions to the persons carrying on a voluntary home limiting the number of children who may at any one time be accommodated in that home.

(2) Subsection (2) of section thirty-one of the Act (which provides for penalties for contravention or failure to comply with a Regulation) shall have effect in relation to this Regulation.

Prohibition of certain clothing

13.—(1) The Secretary of State may give directions to the persons carrying on a voluntary home prohibiting the provision for the children in that home or any of them of clothing specified in the directions.

(2) Subsection (2) of section thirty-one of the Act shall have effect in relation to this Regulation.

Visits by parents or guardians

14.—(1) The persons carrying on a voluntary home shall furnish to the Secretary of State on demand such information as he may from time to time require as to the facilities provided by them for the parents and guardians of children in the home to visit and communicate with those children, and shall comply with any directions given by the Secretary of State as to the provision of such facilities.

(2) Subsection (2) of section thirty-one of the Act shall have effect in relation to this Regulation.

Change of persons in charge

15. The persons carrying on a voluntary home shall forthwith give notice to the Secretary of State when a person in charge of a home ceases to be in charge of that home and of any new appointment after such cessation.

PART III

MISCELLANEOUS: EXTENT, INTERPRETATION, CITATION

Exemptions for schools

16. Where a school is established or maintained within a home by a local education authority under the Education Act, 1944(c), neither the function of inspection under Regulation 2 nor the duties of the person in charge of the home under Regulations 3 and 7, of the medical officer under Regulation 5, of the administering authority under Regulation 6 nor the provisions of Regulation 11 of these Regulations shall apply to the part of the home used as a school during that part of a day in which it is being so used or to any child during that part of a day in which he is attending the school.

(c) 7 & 8 Geo. 6. c. 31.

4

Application

17. These Regulations apply to all homes provided by local authorities under section fifteen of the Act and voluntary homes except—

(i) remand homes within the meaning of Part IV of the Children and Young Persons Act, 1933(**d**);

(ii) approved probation hostels and approved probation homes within the meaning of section forty-six of the Criminal Justice Act, 1948(**e**); and

(iii) any voluntary home which is, as a whole, subject to inspection by or under the authority of a government department otherwise than under the Children and Young Persons Act, 1933.

Interpretation

18.—(1) In these Regulations the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act" means the Children Act, 1948;

"administering authority" means the local authority providing or the persons carrying on a home, as the case may be;

"voluntary home" has the same meaning as in section ninety-two of the Children and Young Persons Act, 1933, as amended by section twenty-seven of the Act.

(2) The Interpretation Act, 1889(**f**), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Citation and Commencement

19. These Regulations may be cited as the Administration of Children's Homes Regulations, 1951, and shall come into force on the first day of September, 1951.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
5th July, 1951.

SCHEDULE Regulation 3 (2)

The records to be kept under the provisions of paragraph (2) of Regulation 3 shall be—

1. A register in which shall be entered the date of admission and the date of discharge of every child accommodated in the home.
2. In homes accommodating more than twenty children a register indicating every day every child present in the home on that day.
3. A record book in which shall be recorded events of importance connected with the home.
4. A record of every fire practice or drill conducted in the home.
5. Records of the food provided for the children accommodated in the home in sufficient detail to enable any person inspecting the record to judge whether the dietary is satisfactory.
6. Where consultation under Regulation 8 has taken place a record of fire precautions agreed upon by the administering authority and the fire authority after such consultation as being practicable in and suitable to the circumstances of the home.
7. A punishment book in which shall be entered a record of all corporal punishment administered.

(d) 23 & 24 Geo. 5. c. 12. (e) 11 & 12 Geo. 6. c. 58. (f) 52 & 53 Vict. c. 63.

5

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations deal with the conduct of children's homes provided by a local authority under section 15 of the Children Act, 1948, and of voluntary homes except homes which are remand homes, approved probation hostels, approved probation homes or voluntary homes subject to inspection otherwise than under the Children and Young Persons Act, 1933, by a government department.

LONDON:
PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE
1951

PRINTED IN GREAT BRITAIN

(9763) (N. 13) K60 7/51 D.L.

STATUTORY INSTRUMENTS

1955 No. 1377

CHILDREN AND YOUNG PERSONS

BOARDING-OUT

The Boarding-Out of Children Regulations, 1955

Made - - - -	1*st September*, 1955
Laid before Parliament	13*th September*, 1955
Coming into Operation	1*st January*, 1956

TABLE OF CONTENTS

PART I.—GENERAL

Regulation

1. Scope of the Regulations.
2. Persons with whom children may be boarded out.
3. Restriction on boarding-out outside England and Wales.
4. Duty of placing authority to terminate boarding-out.
5. Power of supervising visitor to remove child.
6. Medical examination before boarding-out.
7. Medical examinations during boarding-out.
8. Arrangements for medical and dental attention.
9. Reports by visitors.
10. Case records to be kept by local authorities and voluntary organisations.
11. Registers to be kept by local authorities.
12. Information to be given to or by area authorities in certain circumstances.
13. Arrangements in certain cases as regards children boarded out by one local authority in the area of another.
14. Duty of local authority as regards children boarded out by voluntary organisations.
15. Children in the care of a local authority who are boarded out by a voluntary organisation.

PART II.—PROVISIONS APPLICABLE TO BOARDING-OUT FOR A PERIOD EXCEEDING EIGHT WEEKS

16. Application of Part II.
17. Prior visits to and reports about foster homes.
18. Particulars to be given to a local authority about children boarded out in their area.
19. Religious persuasion.
20. Undertaking to be given by foster parents.
21. Visits during boarding-out.
22. Review of welfare, health, conduct and progress.
23. Special provisions as to children who have ceased to be of compulsory school age.

PART III.—PROVISIONS APPLICABLE TO BOARDING-OUT FOR A PERIOD EXPECTED NOT TO EXCEED EIGHT WEEKS IN ALL

Regulation

24. Application of Part III.
25. Prior visits to and reports about foster homes.
26. Particulars to be given to a local authority about children boarded out in their area.
27. Undertaking to be given by foster parents or notification in lieu.
28. Visits during boarding-out.
29. Boarding-out at intervals with the same foster parents.
30. Provisions where boarding-out extends beyond eight weeks.

PART IV.—SUPPLEMENTARY

31. Transitional provisions.
32. Interpretation.
33. Revocation.
34. Extent.
35. Citation and commencement.

SCHEDULE.—FORM OF UNDERTAKING TO BE SIGNED BY FOSTER PARENT

In pursuance of the powers conferred upon me by section fourteen and subsection (3) of section thirty-three of, and sub-paragraph (1) of paragraph 4 of the Second Schedule to, the Children Act, 1948(**a**), I hereby make the following Regulations:—

PART I.—GENERAL

Scope of the Regulations

1.—(1) Subject to the provisions of paragraphs (2) and (3) of this Regulation, these Regulations shall apply to the boarding of a child—

(*a*) by a local authority in whose care the child is, or

(*b*) by a voluntary organisation in whose charge the child is otherwise than under an approved school order,

with foster parents to live in their dwelling as a member of their family, and the boarding of a child to which these Regulations apply as aforesaid is hereinafter referred to as " boarding-out ", and " board out " and " boarded out " shall be construed accordingly.

(2) For the purposes of these Regulations a child who is delivered into the care and possession of persons or a person proposing to adopt him under the Adoption Act, 1950(**b**), shall not be regarded as boarded out.

(3) For the purposes of these Regulations a child shall not be regarded as boarded out by reason only that he stays in the dwelling of any person for a holiday if—

(*a*) the period of his stay does not exceed twenty-one days, or

(*b*) he is sent there by a voluntary organisation in whose charge he temporarily is for the sole purpose of the arrangement of that holiday.

(a) 11 & 12 Geo. 6. c. 43. (b) 14 Geo. 6. c. 26.

2

(4) Nothing in these Regulations shall require, for the purpose only of complying with any provision thereof relating to a child before he is boarded out, his temporary removal from a household in which he is already living.

Persons with whom children may be boarded out

2. A child shall not be boarded out except with—

(*a*) a husband and wife jointly, or

(*b*) a woman, or

(*c*) a man who is a grandfather, uncle or elder brother of the child :

Provided that if while a child is boarded out his foster parent dies or a woman being his foster parent ceases to live in the household where the child is, nothing in this Regulation shall require the child's removal therefrom and he may be boarded out with the other spouse or with another suitable member of the same household, as the case may be.

Restriction on boarding-out outside England and Wales

3. A child shall not be boarded out outside England and Wales unless the special circumstances of his case make such boarding-out desirable, and if a child is boarded out outside England and Wales, steps shall be taken to ensure that the like requirements as are specified in Regulations 2, 7 and 8 and, as the case may be, Regulations 19, 21, 22 and 23 or Regulation 28 or Regulation 29 of these Regulations are observed in relation to that child as would have had to be observed under these Regulations if he were boarded out in England or Wales.

Duty of placing authority to terminate boarding-out

4. A care authority or voluntary organisation who have arranged the boarding-out of a child shall not allow him to remain boarded out with any foster parents if it appears that the boarding-out is no longer in his best interests.

Power of supervising visitor to remove child

5.—(1) Where a visitor whose duty it is under these Regulations to supervise the welfare of a child considers that the conditions in which he is boarded out endanger his health, safety or morals, that visitor may remove him from the foster parents forthwith.

(2) Where a child who is boarded out by a local authority with foster parents whose dwelling is outside the area of that authority is removed under paragraph (1) of this Regulation by a visitor of the care authority, the area authority shall forthwith be notified by the care authority of the reason why he was removed and, if the child is so removed by a visitor of the area authority who are performing any of the supervisory duties in respect of him under Regulation 13 of these Regulations, the care authority shall forthwith be given the like notification by the area authority.

(3) Where a child who is boarded out by a voluntary organisation is removed from foster parents under paragraph (1) of this Regulation by a visitor of the voluntary organisation, the area authority shall forthwith be notified by the organisation of the reason why he was removed and, if the child is so removed by a visitor of the area authority who are performing the supervisory duties in the place of that organisation under Regulation 14 of these Regulations, the voluntary organisation shall forthwith be given the like notification by the area authority.

Medical examination before boarding-out

6. Except in a case of emergency, a child shall not be boarded out with foster parents unless he has within three months before being placed with them been examined by a duly qualified medical practitioner and the practitioner has made a written report on the physical health and mental condition of the child.

Medical examinations during boarding-out

7.—(1) A local authority or voluntary organisation who arrange the boarding-out of a child shall ensure that he is examined by a duly qualified medical practitioner—

(*a*) within one month after being boarded out unless the child has attained the age of two years and has, under Regulation 6 of these Regulations, been so examined within three months before being boarded out; and

(*b*) at least once in every six months if he has not attained the age of two years or at least once a year if he has attained that age.

(2) Arrangements shall be made for a written report on the physical health and mental condition of the child to be made by the practitioner after each such examination as aforesaid.

Arrangements for medical and dental attention

8. Adequate arrangements shall be made for a child who is boarded out to receive medical and dental attention as required.

Reports by visitors

9. Whenever, in pursuance of these Regulations, a visitor sees a child who is boarded out, he shall after considering the welfare, health, conduct and progress of the child and any complaint made by or concerning him, make a written report about the child, and whenever a visitor so visits the dwelling of foster parents he shall make a written report about its condition.

Case records to be kept by local authorities and voluntary organisations

10.—(1) A local authority shall compile a case record in respect of—

(*a*) every child boarded out by them;

(*b*) every child boarded out by another local authority in respect of whom they perform any of the supervisory duties under Regulation 13 of these Regulations; and

(*c*) every child boarded out by a voluntary organisation in relation to whom they perform the supervisory duties;

and the said record shall be kept up-to-date.

(2) A voluntary organisation shall compile a case record in respect of every child boarded out by them and the said record shall be kept up-to-date.

(3) Every case record compiled under this Regulation shall be preserved for at least three years after the child to whom it relates has attained the age of eighteen years or has died before attaining that age, and shall be open to inspection at all reasonable times by any person duly authorised in that behalf by the Secretary of State.

4

Registers to be kept by local authorities

11.—(1) A local authority shall, in respect of every child boarded out in their area, whether by them or by another local authority or by a voluntary organisation, enter in a register to be kept for the purpose the particulars specified in paragraph (2) of this Regulation, and so much of the particulars specified in paragraph (3) of this Regulation as may be appropriate.

(2) The particulars to be so entered in the case of every such child are his name, sex, date of birth and religious persuasion, the name and religious persuasion of each foster parent and their address, the name of the authority or organisation by whom he is boarded out, the dates on which boarding-out on each occasion begins and ceases, and the reason why it ceases.

(3) There shall also be so entered—

(*a*) in the case of a child in respect of whom arrangements have been made under Regulation 13 of these Regulations, a note of those arrangements;

(*b*) in the case of a child in the care of a local authority boarded out by a voluntary organisation, the name of the care authority; and

(*c*) in the case of a child boarded out by a voluntary organisation in relation to whom the area authority are, under Regulation 14 of these Regulations, performing the supervisory duties, a note of that fact.

(4) Every register kept under this Regulation shall be preserved for at least five years after every child particulars about whom are entered therein has or would have attained the age of eighteen years, and shall be open to inspection at all reasonable times by any person duly authorised in that behalf by the Secretary of State.

Information to be given to or by area authorities in certain circumstances

12.—(1) Where a child who is boarded out with foster parents in the area of a local authority by another local authority or a voluntary organisation ceases to be boarded out in a household, the authority or organisation by whom the boarding-out was arranged shall inform the area authority thereof and of the date on which the boarding-out ceased, the reason why it ceased and whether it is intended to board out another child in that household.

(2) If, while a child is boarded out with foster parents in the area of a local authority by another local authority or a voluntary organisation, any reason becomes known to the area authority whereby it appears that boarding-out with those foster parents may have ceased to be in the best interests of the child, the care authority, or, as the case may be, the voluntary organisation shall be informed thereof forthwith.

Arrangements in certain cases as regards children boarded out by one local authority in the area of another

13. A care authority may make arrangements with an area authority, either in respect of a child boarded out by the one in the area of the other or generally in respect of all children who may from time to time be so boarded out, for the area authority to perform any of the supervisory duties and to furnish a report as often as may have been agreed on the welfare, health, conduct and progress of each child in respect of whom such arrangements have effect.

5

Duty of local authority as regards children boarded out by voluntary organisations

14.—(1) In this Regulation and in Regulation 15 of these Regulations a reference in relation to a voluntary organisation to the supervisory duties is a reference to those duties in respect of children boarded out by that voluntary organisation in the area of a particular local authority, and a reference to the voluntary organisation being in a position to discharge the supervisory duties is a reference to that organisation having the requisite facilities, and having made adequate arrangements, for the discharge of those duties in that area.

(2) It shall be the general duty of an area authority to satisfy themselves as regards any voluntary organisation having children boarded out in their area whether or not that organisation are in a position to discharge the supervisory duties, and if satisfied that they are not, the area authority shall, except as otherwise provided in these Regulations, perform the said duties and that organisation shall be relieved of those duties.

(3) As soon as may be after a voluntary organisation board out a child in the area of a local authority in which there is not already a child boarded out by that organisation the area authority shall, for the purpose of carrying out their duty under paragraph (2) of this Regulation, cause investigation to be made into, and shall consider, the question whether that organisation are in a position to discharge the supervisory duties, and for the said purpose, in any period during which that organisation continuously have any children boarded out in the area of that authority, shall cause investigation to be made into, and shall consider, the said question at least once in every three years.

(4) If while an area authority are performing the supervisory duties in the place of a voluntary organisation, they are satisfied that that organisation are in a position to discharge those duties, the area authority shall be relieved thereof as from such date as the organisation have notified the area authority as that upon which they will resume the discharge of those duties.

(5) Notwithstanding anything in paragraph (2) of this Regulation, an area authority shall not except with the written consent of a voluntary organisation take over from that organisation the supervisory duties until one month has elapsed after notice of their intention so to do has been sent to that organisation, and if within that period the area authority receive from that organisation a copy of representations made by them to the Secretary of State under the next following paragraph, they shall not take over the said duties unless the Secretary of State so directs under that paragraph.

(6) If a notice has under the last preceding paragraph been sent by an area authority to a voluntary organisation and that organisation are of opinion that they are in a position to discharge the supervisory duties, they may within the said period of one month make representations to that effect to the Secretary of State, and the Secretary of State, after considering those representations and any representations made to him on behalf of the area authority, may direct either that the organisation shall continue to discharge those duties or that the area authority shall, from such date as may be indicated in the direction, take them over, and the said duties shall continue to be discharged or be so taken over accordingly.

(7) If, after an area authority have under this Regulation performed the supervisory duties in the place of a voluntary organisation for a continuous period of not less than one year, that organisation are of opinion that they

6

are then in a position to discharge those duties, and the area authority, after representations to that effect have been made to them on behalf of that organisation, are not satisfied that that organisation are in such a position, the organisation may make representations to the Secretary of State accordingly ; and if the Secretary of State, after considering those representations and any representations made to him on behalf of the area authority, so directs, the organisation shall, from such date as may be indicated in the direction, resume the discharge of those duties and the area authority shall cease to perform them.

(8) Where an area authority take over the supervisory duties from a voluntary organisation, that organisation shall supply to the area authority full information about every child boarded out by them in the area of that authority.

(9) While an area authority perform the supervisory duties in the place of a voluntary organisation, the area authority shall supply to the organisation the information in every relevant case record compiled by them.

Children in the care of a local authority who are boarded out by a voluntary organisation

15.—(1) As soon as may be after a child who is in the care of a local authority and in the charge of a voluntary organisation is boarded out, the organisation shall notify that authority of the boarding-out and of the names and address of the foster parents, and as soon as may be after that child ceases to be boarded out with those foster parents, the organisation shall notify the authority of the reason therefor.

(2) Where such a child is boarded out with foster parents whose dwelling is outside the area of the care authority, and the area authority either—

(*a*) are, under Regulation 14 of these Regulations, for the time being performing the supervisory duties in the place of the organisation by whom he is boarded out ; or

(*b*) subsequently, while the child is so boarded out, take over those duties from that organisation,

notice of the facts shall forthwith after the boarding-out, or, as the case may be, when the area authority take over those duties, be sent by the area authority to the care authority.

(3) Where notice under the last preceding paragraph is received by a care authority, then, notwithstanding anything in paragraph (2) of Regulation 14 of these Regulations, so long as the area authority continue to perform the supervisory duties in the place of the organisation by whom the child is boarded out, these Regulations shall have effect as if he were boarded out by the care authority.

PART II.—PROVISIONS APPLICABLE TO BOARDING-OUT FOR A PERIOD EXCEEDING EIGHT WEEKS

Application of Part II

16. This Part of these Regulations shall have effect only with regard to the boarding-out of a child as a member of a household wherein he is expected to remain for a period exceeding eight weeks, or, as the case may require and subject to the proviso to Regulation 30 of these Regulations, he has remained for a period exceeding eight weeks.

7

Prior visits to and reports about foster homes

17.—(1) A child shall not be boarded out unless—

(*a*) the foster parents and the dwelling where the child will live have been visited by a visitor who is personally acquainted with the child and his needs, or, when that is not practicable, by a visitor who has been fully informed thereof, and the visitor has reported in writing that the sleeping and living accommodation and other domestic conditions at the dwelling are satisfactory and that the household of the foster parents is likely to suit the particular needs of the child ;

(*b*) information has been obtained by a visitor and a written report made by him—

(i) on the reputation and religious persuasion of the foster parents and their suitability in age, character, temperament and health to have the charge of the child,

(ii) as to whether any member of the foster parents' household is believed to be suffering from any physical or mental illness which might adversely affect the child or to have been convicted of any offence which would render it undesirable that the child should associate with him, and

(iii) on the number, sex and approximate age of the persons in that household ;

(*c*) where a local authority propose to board out a child with foster parents whose dwelling is outside the area of that authority, and where a voluntary organisation propose to board out a child (except in either case if it is a matter of urgency or if within the preceding three months another child has been boarded out by them with those foster parents in that dwelling), the area authority have been asked to report within fourteen days if any reason is known to them why boarding-out with those foster parents might be detrimental to the child's welfare ; and

(*d*) the available history of the child and the relevant reports indicate that boarding-out in that household would be in the best interests of the child.

(2) For the purposes of sub-paragraph (*c*) of paragraph (1) of this Regulation the area authority shall be notified of the name, sex, date of birth and religious persuasion of the child and the names and address of the foster parents.

Particulars to be given to a local authority about children boarded out in their area

18. Where—

(*a*) a local authority board out a child with foster parents whose dwelling is outside the area of that authority ; or

(*b*) where a voluntary organisation board out a child,

the authority or organisation, as the case may be, shall notify the area authority, as soon as may be, of any particulars not already sent to them which are required under Regulation 11 of these Regulations to be entered in a register.

Religious persuasion

19. Where possible a child shall be boarded out with foster parents who either are of the same religious persuasion as the child or give an undertaking that he will be brought up in that religious persuasion.

8

Undertaking to be given by foster parents

20.—(1) A local authority or voluntary organisation shall require foster parents to sign an undertaking in respect of any child boarded out with them in the form set out in the Schedule to these Regulations, or in a form to the like effect.

(2) The said undertaking shall be kept by the care authority or, as the case may be, the voluntary organisation, and a copy thereof shall be left with the foster parents.

Visits during boarding-out

21. A local authority or voluntary organisation who have arranged the boarding-out of a child shall ensure that a visitor sees the child and visits the dwelling of the foster parents—

(*a*) within one month after the commencement of the boarding-out ;

(*b*) thereafter as often as the welfare of the child requires, but not less often than—

(i) in the case of a child boarded out with foster parents in whose household he has been less than two years, if the child has not attained the age of five years, once in every six weeks, or, if he has attained that age, once in every two months, or

(ii) in the case of a child who has been in the household of the foster parents more than two years, once in every three months ;

(*c*) within one month after any change of dwelling by the foster parents ; and

(*d*) forthwith after the receipt of a complaint by or concerning the child, unless it appears that action thereon is unnecessary.

Review of welfare, health, conduct and progress

22.—(1) A local authority or voluntary organisation shall ensure that a review of the welfare, health, conduct and progress of every child who is boarded out by them is made in the light of the reports written about him in pursuance of these Regulations—

(*a*) within three months after the child is placed with any foster parents ; and

(*b*) thereafter, so long as he remains boarded out with those foster parents, as often as is expedient in the particular case, but not less often than once in every six months.

(2) The said review shall be made, so far as is practicable, by persons who do not usually act as visitors, and a note thereof shall be entered in the case record relating to the child, with particulars of any action recommended as a result.

Special provisions as to children who have ceased to be of compulsory school age

23.—(1) Nothing in Regulation 20 or 21 of these Regulations shall apply in relation to the boarding-out of a child who has ceased to be of compulsory school age.

(2) Where a child has already ceased to be of compulsory school age when boarded out with foster parents with whom he was not boarded out when he so ceased, the local authority or voluntary organisation who arrange the boarding-out shall require them to sign an undertaking in respect of him containing such parts of the form of undertaking set out in the Schedule to these Regulations, with or without modifications, as appear appropriate to his case.

9

(3) Where a child over compulsory school age is boarded out the local authority or voluntary organisation who have arranged the boarding-out shall ensure that a visitor sees the child—

(*a*) (i) in the case of a child who is already boarded out when he ceases to be of compulsory school age, within three months after so ceasing, or

(ii) in the case of a child who is already over that age when boarded out with foster parents, within one month after the commencement of the boarding-out ;

(*b*) thereafter not less often than once in every three months ;

(*c*) within one month after any change of dwelling by the foster parents ; and

(*d*) forthwith after the receipt of a complaint by or concerning the child, unless it appears that action thereon is unnecessary.

PART III.—PROVISIONS APPLICABLE TO BOARDING-OUT FOR A PERIOD EXPECTED NOT TO EXCEED EIGHT WEEKS IN ALL

Application of Part III

24. This Part of these Regulations shall have effect only with regard to the boarding-out of a child as a member of a household wherein he is expected not to remain for a period exceeding eight weeks in all.

Prior visits to and reports about foster homes

25. A child shall not be boarded out unless the foster parents and the dwelling where the child will live have been visited by a visitor who has reported in writing that the boarding-out of the child with those foster parents would be suitable to the needs of the child for a period not exceeding eight weeks.

Particulars to be given to a local authority about children boarded out in their area

26. Where—

(*a*) a local authority board out a child with foster parents whose dwelling is outside the area of that authority, or

(*b*) a voluntary organisation board out a child,

the authority or organisation, as the case may be, shall notify the area authority as soon as may be of the fact that the child has been so boarded out and of the particulars required under Regulation 11 of these Regulations to be entered in a register.

Undertaking to be given by foster parents or notification in lieu

27. In the case of a child who is not over compulsory school age, a local authority or voluntary organisation shall either—

(*a*) comply with the provisions of Regulation 20 of these Regulations as if that Regulation were included in this Part of these Regulations ; or

(*b*) send a letter to the foster parents stating the religious persuasion of the child and specifying the obligations which they would have been required to undertake in respect of the child if the provisions of the said Regulation 20 had applied to the case.

10

Visits during boarding-out

28.—(1) A local authority or voluntary organisation who have arranged the boarding-out of a child who is not over compulsory school age shall ensure that a visitor sees the child and visits the dwelling of the foster parents—

(*a*) within two weeks after the commencement of the boarding-out, and

(*b*) thereafter not less often than once in every four weeks, and

(*c*) forthwith after the receipt of a complaint by or concerning the child, unless it appears that action thereon is unnecessary.

(2) A local authority or voluntary organisation who have arranged the boarding-out of a child who is over compulsory school age shall ensure that a visitor sees the child—

(*a*) within one month after the commencement of the boarding-out, and

(*b*) forthwith after the receipt of a complaint by or concerning him, unless it appears that action thereon is unnecessary.

Boarding-out at intervals with the same foster parents

29. Where a child who is receiving full-time education has been boarded out with foster parents and within four months of ceasing to be boarded out with them is again boarded out with them, Regulations 6, 7, 25, 27 and 28 of these Regulations shall not apply to that boarding-out, but the local authority or voluntary organisation who arranged it shall ensure that a visitor sees the child and visits the dwelling of the foster parents—

(*a*) within one month after the commencement of the boarding-out, and

(*b*) forthwith after the receipt of a complaint by or concerning the child, unless it appears that action thereon is unnecessary.

Provisions where boarding-out extends beyond eight weeks

30. If, while this Part of these Regulations has effect with regard to a boarding-out, it becomes expedient that the child boarded out should remain for a period longer than eight weeks in all in the household of which he is already a member, then at the expiration of the said period this Part of these Regulations shall cease to have effect with regard thereto and the provisions of Part II thereof shall have effect as if the child were about to be, or, as the case may require, were, boarded out in that household in such circumstances that the said Part II applied, so however that anything done under this Part of these Regulations which satisfies any requirement of the said Part II shall be deemed to have been done thereunder:

Provided that, if it appears to the care authority, or, in the case of a child boarded out by a voluntary organisation, to the organisation, that the period in excess of eight weeks during which the child will remain boarded out as aforesaid will not exceed four weeks, then this Regulation shall not take effect until the expiration of that further period of four weeks.

PART IV.—SUPPLEMENTARY

Transitional provisions

31.—(1) Nothing in Regulation 2, in paragraph (1) of Regulation 15 or in Regulation 20 of these Regulations shall have effect in relation to the boarding-out of a child with foster parents with whom he is boarded out at the date when these Regulations come into operation, so long as he remains boarded out with them.

11

(2) Where at the date when these Regulations come into operation—

(*a*) a child is boarded out by a local authority with foster parents whose dwelling is in the area of another local authority and there are in force immediately before the said date administrative arrangements between those authorities made under Rule 18 of the Children and Young Persons (Boarding-Out) Rules, 1946(**c**), in respect of that child, those arrangements shall, so far as they are consistent with these Regulations, continue in force and have effect as if they were arrangements made under Regulation 13 of these Regulations;

(*b*) a child is boarded out—

(i) by a local authority with foster parents whose dwelling is outside the area of that authority, or

(ii) by a voluntary organisation,

the authority or organisation, as the case may be, shall within one month of the said date notify the area authority of the fact that the child is so boarded out and of the particulars required under Regulation 11 of these Regulations to be entered in a register.

(3) Notwithstanding anything in Regulation 14 of these Regulations, a local authority shall not take over from a voluntary organisation the supervisory duties except with the written consent of that organisation until the expiration of one year from the date when these Regulations come into operation, but, save as aforesaid, the said Regulation shall have effect as if any child boarded out by a voluntary organisation immediately before the said date had been first so boarded out on that date.

(4) Where, before the date when these Regulations come into operation, anything has been done under the Children and Young Persons (Boarding-Out) Rules, 1946, or is deemed by virtue of sub-paragraph (3) of paragraph 4 of the Second Schedule to the Children Act, 1948(**d**), to have been done under those Rules, it shall be deemed to have been done, so far as it could have been so done, under the corresponding provisions of these Regulations.

Interpretation

32.—(1) In these Regulations—

"area authority", in relation to a child, means the local authority within whose area is the dwelling of the foster parents of that child;

"care authority", in relation to a child, means a local authority—

(*a*) in whose care the child is under section one of the Children Act, 1948, either because he has been received into their care under that section or under subsection (4) of section six of that Act or by virtue of paragraph 1 of the Second Schedule to that Act, or

(*b*) to whose care as a fit person the child is committed under the Children and Young Persons Act, 1933(**e**),

and references to a child in the care of a local authority shall be construed accordingly;

"child" means a person under the age of eighteen years;

"foster parents" means persons or a person with whom a child is for the time being or is proposed to be boarded out;

(**c**) S.R. & O. 1946/2083 (Rev. III, p. 764: 1946 I, p. 121). (**d**) 11 & 12 Geo. 6. c. 43.
(**e**) 23 & 24 Geo. 5. c. 12.

" local authority " means the council of a county or county borough ;

" supervisory duties " means the duties imposed by Regulations 7 and 8 and, as the case may be, Regulations 21, 22 and 23 or Regulation 28 or Regulation 29 of these Regulations ;

" visitor " means a person carrying out on behalf of a local authority or voluntary organisation any of the duties under these Regulations to see children who are boarded out and to visit the homes of foster parents ;

" voluntary organisation " means a body whose activities are carried on otherwise than for profit, but does not include a public or local authority.

(2) The Interpretation Act, 1889(f), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Revocation

33. The Children and Young Persons (Boarding-Out) Rules, 1946, are hereby revoked.

Extent

34. These Regulations shall not apply to Scotland.

Citation and commencement

35. These Regulations may be cited as the Boarding-Out of Children Regulations, 1955, and shall come into operation on the first day of January, 1956.

G. Lloyd-George,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
1st September, 1955.

(f) 52 & 53 Vict. c. 63.

13

Regulations 20, 23 and 27 SCHEDULE

FORM OF UNDERTAKING TO BE SIGNED BY FOSTER PARENTS

We/I, A.B. [and B.B.], of having on the day of , 19 , received from [the council of the county/county borough of (hereinafter called "the council")] [*name of voluntary organisation* (hereinafter called "the organisation")] C.D., who was born on the day of , 19 , and whose religious persuasion is , into our/my home as a member of our/my family undertake that—

1. We/I will care for C.D. and bring him/her up as we/I would a child of our/my own.

2. He/she will be brought up in, and will be encouraged to practise, his/her religion.

3. We/I will look after his/her health and consult a doctor whenever he/she is ill and will allow him/her to be medically examined at such times and places as [the council] [the organisation] may require.

4. We/I will inform [the council] [the organisation] immediately of any serious occurrence affecting the child.

5. We/I will at all times permit any person so authorised by the Secretary of State or by [the council] [the organisation] [or by the council of the county/county borough where we/I live] to see him/her and visit our/my home.

6. We/I will allow him/her to be removed from our/my home when so requested by a person authorised by [the council] [the organisation] [or by the council of the county/county borough where we/I live].

7. If we/I decide to move, we/I will notify the new address to [the council] [the organisation] before we/I go.

(Sgd.).....

(Sgd.).....

Dated.....

14

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations replace the Rules revoked by Regulation 33. The Rules revoked applied only to the boarding of children with foster parents by local authorities: these Regulations apply to such boarding and also to the boarding of children with foster parents by voluntary organisations: they do not apply in the case of children boarded with persons proposing to adopt them under the Adoption Act, 1950, nor of children boarded out for a short holiday only, nor of children in the charge of voluntary organisations under approved school orders. Part I of the Regulations contains provisions applying generally, and, amongst other matters, it contains requirements as to the medical examination of each child, as to visitors and reports by visitors, as to records and other documents to be kept by the bodies responsible and as to the exchange in particular cases by different bodies of information about children boarded out. Part II contains provisions applying where the period of boarding-out exceeds eight weeks, and, amongst other matters, contains requirements as to the enquiries to be made before boarding-out, as to the undertaking to be given by foster parents and as to the frequency of visits. Part III contains provisions applying where the period is expected not to exceed eight weeks, and contains modified requirements regarding the matters dealt with in Part II.

(35359) (F. 78) K120 9/55 D.L.

STATUTORY INSTRUMENTS

1955 No. 1377

CHILDREN AND YOUNG PERSONS

BOARDING-OUT

The Boarding-Out of Children Regulations, 1955

LONDON :
PRINTED AND PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE
1955

PRINTED IN GREAT BRITAIN

ISBN 0 11 100179 X

JERSEY R & O 3388
PUBLIC INSTRUCTION COMMITTEE ACT 1953

Conditions for the reception of children into the care of the Public Instruction Committee.

(*Approved by Act of the Public Instruction Committee dated* 17*th November*, 1953).

1.-(1) Every application to the Committee to take over the care of a child shall be made by the Constable or other authority or person responsible for the maintenance of the child.

(2) The application shall be in such form as the Committee may require and shall be accompanied by a recent certificate of health relating to the child, duly signed by a medical practitioner.

2. Any child received into the care of the Committee may, at the discretion of the Committee, be admitted to a Children's Home or boarded in a private home.

3. Subject to the provisions of the "Loi appliquant à cette Ile certaines des dispositions de l'Acte de Parlement intitulé 'Children and Young Persons Act, 1933' ", confirmed by Order of His Majesty in Council of 21st February, 1935, –[1]

(*a*) the Committee shall have the right to refuse to receive a child into its care ; and

(*b*) the Committee shall be entitled to require the Constable or other authority or person responsible for the maintenance of a child to take over the care of the child on the ground of physical or mental disability or, in the case of a child admitted to a Children's Home, on the ground that the conduct of the child is prejudicial to the other children in the Home.

4. The Constable or other authority or person responsible for the maintenance of a child in the care of the Committee shall pay to the Committee a fee of seven shillings and sixpence per day towards the cost of maintenance of the child.

5. In this Act, "a Children's Home" means the Westaway Creche, the Jersey Home for Boys or the Jersey Home for Girls.

F. DE L. BOIS,
Greffier of the States.

---

[1] Recueil des Lois, Tome 1933–1936, page 245.

Mr Lewis

HOME OFFICE

Administration of Punishment at Court Lees Approved School

Report of Inquiry by

Mr. Edward Brian Gibbens, Q.C.

Presented to Parliament by the Secretary of State for the Home Department by Command of Her Majesty August, 1967

LONDON
HER MAJESTY'S STATIONERY OFFICE
PRICE 2s. 6d. NET
Cmnd. 3367

CONTENTS

		Paragraphs
I	**Introduction**	1–7
II	**The Approved Schools system**	
	General	8–11
	Powers and duties of the Secretary of State	12–14
	Staff	15–16
	Discipline	17
	Corporal punishment	18–20
III	**Court Lees School**	
	Brief history	21
	Situation	22
	Management	23
	Staff	24
	Certified number of boys accommodated	25
IV	**The Allegations**	
	General	26–36
	Resort to corporal punishment	37
	The cane used	38–40
	Clothing worn by boys when punished	41–45
	Excessive severity of punishment	46–59
	Mental disability	60–65
	Corporal punishment in the presence of other boys	66–67
	The absence of an adult witness	68–69
	Failure to record punishments in the Punishment Book	70–74
	Allegations of prohibited corporal punishment	75–76
	Other allegations	77
	Summary	78
V	**Conclusion**	79–80

APPENDICES

Letters to " The Guardian ".
List of witnesses and legal representation.

REPORT OF THE INQUIRY RELATING TO COURT LEES APPROVED SCHOOL

To the Rt. Hon. ROY JENKINS, M.P., Her Majesty's Principal Secretary of State for the Home Department.

Sir,

I—INTRODUCTION

I was appointed by you on 15th May 1967 to inquire into allegations by a teacher at Court Lees School that punishment has been administered to boys in the school otherwise than in accordance with the Approved School Rules; and into any other similar allegations of irregular punishment at the school; and to report. Your warrant further appointed Mr. L. J. Wardle, a Superintending Inspector in the Children's Department of the Home Office, to be an assessor and Mr. D. S. Marks of the Home Office to be secretary of the inquiry.

2. I have completed my inquiry and have the honour to submit my report.

3. The inquiry, which was held at Court Lees School, was opened by me on 26th June and continued until 30th June. A shorthand note was taken of the proceedings.

4. The events which led to this inquiry began with a letter published in *The Guardian* on 2nd March 1967, under the pseudonym "Approved School Teacher", and reproduced in full in the *Daily Mail* on the following day. This letter contained an allegation that it was the common practice in approved schools generally, and in the school in which the writer worked in particular, for boys to be severely punished. A second letter appeared over the same pseudonym in *The Guardian* on 7th March 1967, and both letters referred to are annexed hereto in Appendix A. On 1st May the *Daily Mail* sent to the Home Office for comment photographs alleged to be of four boys who had received corporal punishment at approved schools. The *Daily Mail* were not willing to disclose the identity of the person who had provided them with the photographs, to say at which school they were alleged to have been taken or to provide any other information that would have enabled the Home Office to make further enquiries. On 5th May the *Daily Mail* published an article about the photographs (which were not reproduced) stating that they had been given to the newspaper by the anonymous approved school teacher who had written to *The Guardian* and that they were of four boys at the same school as this teacher. Summaries of the boys' case histories were printed with the article, and from the information contained in these the Home Office were able to identify the boys and to establish that they were all at Court Lees School. Inspectors from the Home Office accordingly visited the school on 6th, 7th and 9th May to make a preliminary investigation. On 9th May Mr. I. R. W. Cook, a teacher at Court Lees School, telephoned to the Home Office and

revealed that he was the writer of the letter to *The Guardian* and the person who had taken the photographs. This had by then already been discovered by the inspectors visiting the school. Mr. Cook asked to meet someone in the Home Office in order to amplify the allegations that he had made and to give any further information that might be required. Arrangements were made for him to be seen that evening by senior officers of the Home Office Children's Department, and in the light of the statement he then made you decided to set up an independent inquiry.

5. Full opportunity to give evidence before me was afforded to all parties who had a clear interest in the inquiry, either by reason of having made allegations or as the subject of allegations, including the managers, the headmaster and his deputy, Mr. Cook and other assistant staff of Court Lees School and 18 boys. I had no power to compel the attendance of witnesses or to require evidence to be given on oath but only one person (a former pupil at Court Lees School) failed to respond to an invitation to make a statement and all the witnesses gave evidence on oath. A list of all the persons from whom I heard evidence is given in Appendix B, which shows also the legal representatives at the hearings. For the purposes of this report the 18 boys who gave evidence and other boys mentioned at the inquiry are referred to by number, as shown on a list forwarded to you separately.

6. No member of the staff of Court Lees School was allowed to be present while any boy was being questioned.

7. Instructed by the Treasury Solicitor, Mr. Montague Philip Solomon of counsel appeared at the inquiry and presented the evidence.

II—THE APPROVED SCHOOL SYSTEM IN ENGLAND AND WALES

8. The purpose of this part of my report is to give a brief factual account of the main features of the approved school system, in so far as they seem to me to be relevant to the objects of the inquiry.

9. Approved schools are residential establishments for the education and training of children and young persons ordered to be sent to them by the courts, either because they have been found guilty of an offence punishable in the case of an adult with imprisonment, or because they have been found to be in need of care, protection or control, or in certain other prescribed circumstances. Approximately 5 per cent of boys and 60 per cent of girls are committed to approved schools for reasons other than the commission of an offence. The schools are not Home Office establishments. They are provided and managed by local authorities, by religious bodies or national voluntary organisations, or by committees formed for the purpose by interested local persons. They are intended for boys and girls whom the courts consider to need not only removal from home but also a fairly long period of residential experience, the primary objects of which are readjustment and social re-education in preparation for return to the community. There are separate schools for boys and girls; the schools are classified by age groups which for boys are as follows:—

Classification	*Age on admission*
Junior	Up to 13 years
Intermediate	Between 13 and 15 years
Senior	Between 15 and 17 years

10. There are at present 123 approved schools in England and Wales—90 for boys and 33 for girls—providing a total of approximately 9,700 places. Thirty schools are managed by local authorities and 93 are under voluntary management.

11. When an approved school order has been made, it is the responsibility of the Secretary of State, under section 8(1) of the Children and Young Persons Act 1963, to determine the school in which the boy or girl to whom the order relates is to be detained. Those for whom classifying facilities are available are sent first to the appropriate classifying school or classifying centre, the managers of which allocate them to suitable schools. The others are sent direct to a school selected for them by the Home Office. The function of a classifying school or centre is to build up, by observation and investigation, a composite picture of the history, background, needs and potentialities of the boys and girls admitted to it, with the dual purpose of ensuring that the children go to schools suited to their needs and of furnishing those who will be responsible for their care and training with comprehensive reports on them and with recommendations as to the most suitable treatment for them.

Powers and duties of the Secretary of State

12. The general responsibility of the Secretary of State is, I am informed, to exercise the control necessary to ensure that proper standards of accommodation, education, treatment and care are maintained, that accommodation is related to needs and that expenditure is kept within proper limits consistent with the maintenance of standards. In addition the Secretary of State has in relation to the schools a number of specific functions which are mentioned, in so far as they appear to be relevant, in succeeding paragraphs.

13. In the exercise of this general responsibility the Secretary of State depends for the inspection of the schools mainly on inspectors of the Home Office Children's Department. All schools are formally visited and inspected in depth annually and many other informal visits are paid by inspectors for particular purposes, often without notice. I understand that it was the intention that periodically each school should be given a full inspection by a team of inspectors, who would spend several days at the school and thoroughly investigate all aspects of its work, but that, although many such full inspections have been made, the pressure of work on the Inspectorate has caused the programme to be curtailed and at present such inspections are undertaken only when circumstances make it necessary or desirable. Court Lees School, which is an intermediate school, last received a full inspection in 1963 and has since received annual inspections and regular visits.

14. Paragraph 1(1) of the Fourth Schedule to the Children and Young Persons Act 1933 empowers the Secretary of State to make rules for the management and discipline of approved schools. In pursuance of this power the Approved School Rules 1933 were made and came into operation on the same date as the Act—1st November 1933. The Rules impose certain duties on the managers

and make provision regarding such matters as the number of boys that may be accommodated in the school, the appointment of staff, the care of boys, school routine, education, employment, religious instruction, recreation, visits and letters, home leave, discipline and punishment, and release and after-care. These Rules were amended to some extent in 1949 to provide for closer oversight of the school by the managers, better arrangements for reviewing a boy's progress and fitness for release, and an increase in the amount of home leave, and again in 1963, when the latter was further increased. The Rules have otherwise remained unchanged.

Staff

15. Under Rule 14, the managers are responsible for the appointment, suspension or dismissal of the staff of an approved school, except that no appointment of a headmaster or headmistress may be made without the prior approval of the Secretary of State.

16. Each school has a head and deputy head. In addition, most schools, except the very small ones, have a post of senior assistant (third-in-charge) to take the place of the deputy head whenever the head or deputy is absent and to undertake any other responsibilities which the head may assign to him. Apart from these senior posts, the main grades of staff in boys' schools are teachers and instructors, who provide classroom teaching and instruction in trades and crafts; housemasters, who are responsible under the headmaster for the social education of the boys; housemothers, who are responsible for the domestic organisation of the houses and help in the supervision of the boys while they are in the house; and matrons and assistant matrons, who, in general, are responsible for the domestic arrangements for the whole school.

Discipline

17. In accordance with Rule 33 of the Approved School Rules, discipline in approved schools is maintained by the personal influence of the headmaster and staff and promoted by a system of rewards and privileges which can be withdrawn for breaches of discipline. Rule 34 lists the punishments that may be administered when necessary for the maintenance of discipline. These are as follows:—

(i) Forfeiture of rewards and privileges (including pocket money) or temporary loss of recreation.

(ii) Alteration of meals for a period not exceeding three days: provided that any such alteration shall be within the limits of a special dietary scale approved by the Chief Inspector.

(iii) Separation from other boys; provided that this punishment shall only be used in exceptional cases and subject to specified conditions.

(iv) Corporal punishment subject to the conditions described below.

Corporal punishment

18. Rule 34(iv) provides that every effort shall be made to enforce discipline without resort to corporal punishment. In addition to this general enjoinder, the caning of boys is subject to certain specific restrictions, as follows:—

his application for the post of headmaster on the retirement of Mr. Fidoe. I think that Mr. Cook's evidence is chiefly suspect on the ground of exaggeration and that it is seasoned with a certain amount of malice to those who are, or who have been, his superiors.

30. It was submitted that if Mr. Cook's evidence were true he would have reported the irregularities complained of to someone in authority and that his failure to do so indicates that he has only recently invented his complaints. He says his protests would have been in vain. Owing to the reputation which he had built up with the staff, I believe that if Mr. Cook had reported to the headmasters, or their deputies, that their punishments had been too severe they would have been likely to have dismissed his representations as exaggerations, though they would not, as he fears, have victimised him. Nevertheless, if he saw (as I think that on occasions he did see) injuries of the kind he has described, I think he cannot be excused for his failure to make any attempt to get the headmaster to look at the visible evidence on the boys' bodies or to report the matter to the school doctor, to one of the school managers or to the Home Office Inspector. It is only fair to add that other members of the staff must have seen the injuries when supervising the boys in the shower baths but remained equally silent.

31. However, in many parts Mr. Cook's evidence was corroborated by other evidence, and I find that much of it is true.

32. Mr. John Fidoe, who was headmaster from 1953 until December 1966, and is now in retirement, impressed me as having a pride in his school and care for the boys, but he was naturally unable to remember most of the details of the incidents in which he was said to have been involved. I think he was an honest witness, and where he was able to recollect the incident clearly I would accept his evidence.

33. Mr. Denis Haydon became headmaster in succession to Mr. Fidoe on 1st January 1967. He is now 45 years of age and had qualified as a teacher in 1949. As a witness he appeared honest and candid, making no attempt to avoid difficult matters which he was required to explain.

34. In a letter to Mr. Driver, Features Editor of *The Guardian* newspaper, dated 26th March 1967, Mr. Cook described Mr. Fidoe and Mr. Haydon as " suffering from gross personality defects ", and it will be seen that in his letter published in *The Guardian* on 2nd March (Appendix " A ") he says: " The school discipline is entirely negative, reinforced by a savage use of the cane that would horrify anyone not inured to it. It is not pleasant to hear a boy screaming (that is no exaggeration; it happens at this school week by week; sometimes day by day) ". I reject these descriptions of the character and conduct of both headmasters. Indeed, in the second published letter Mr. Cook asserted that Mr. Haydon " is basically a kindly man " and, despite the conclusions stated below, I believe that to be true, both of him and of Mr. Fidoe. The evidence does not suggest that at any time did Mr. Haydon see the results of corporal punishment administered by himself.

35. Where Mr. Cook's evidence conflicts with that of either headmaster I would prefer the latter except where Mr. Cook is reliably corroborated.

36. I now propose to state my findings on each of the allegations to which

I have referred in the order set out above. (Where I speak of caning I refer to caning on the posterior, unless otherwise stated.)

Resort to corporal punishment

37. I have formed the impression that the regime of Court Lees School was robust and that the cane was used freely, sometimes as the first punishment (as in the cases of boys Nos. 8, 11, 14 and 23). It is the punishment not uncommonly meted out for absconding, even on the first occasion. I do not think, however, that it is any more freely administered than in many ordinary or public schools up to the end of the last war, though I understand that schools are resorting to corporal punishment less and less in these days. Of course, ordinary schools are not governed by statutory rules demanding that all other methods of enforcing discipline shall first be attempted before the cane is employed. I can, however, report that I do not find any departures from the provisions of Rule 34(iv) save in the following respects:—

(*a*) In the case of the boys Nos. 8 and 23 I feel that other sanctions ought to have been tried before corporal punishment, particularly as they had been at the school only a very short time before being caned.

(*b*) It is a standard practice at this school to administer corporal punishment immediately after the offence has been committed, even in the night, e.g. for talking in the dormitory after " lights out ". It is not for me to comment on this practice except to say that it may explain some of the omissions to record individual punishments in the Punishment Book and also that it tends to result in a breach of Rule 35(*c*) as the boys may be caned when not wearing their ordinary cloth trousers but only their pyjama trousers. It was disturbing to hear a housemaster, Mr. Wright, testify that if a boy was taken from his dormitory at night to be caned in the office downstairs the normal course was to make him put on slippers and a jacket over his pyjamas, and that he did not know that it was contrary to the Rules for the lad to be caned wearing merely his pyjama trousers.

(*c*) Further, in accordance with the practice I have mentioned in subparagraph (*b*) above, boys brought back to the school after absconding, if they are to be caned, are caned forthwith upon their return, whatever the hour. Thus it often happens that a boy who arrives at the school late at night disconsolate, tired after a long journey and probably emotionally upset, is immediately caned. Any preliminary enquiry by the headmaster as to the reason for absconding is probably cursory. It was submitted that boys prefer immediate punishment to the alternative of having to wait until the following day, but I believe the practice is contrary to the spirit of the Rules for, in the circumstances described, it is not to be expected that the headmaster or his deputy will always have the patience carefully to enquire into the reasons for absconding or to consider what punishment is the most appropriate, nor will the boy be in a proper state to explain himself clearly or to sustain the punishment as he should.

(*d*) The number of strokes of the cane to be administered is necessarily left to the discretion of the headmaster giving the punishment, but I take the view that, to comply with the spirit of Rule 34(iv), that discretion

must be deliberately and judiciously exercised. Mr. Haydon, has inflicted six strokes on almost every occasion, whatever the offence and whatever the boy's record. The Punishment Book shows that, whereas in the year 1964 there were recorded 31 punishments of six strokes and 33 of four or less, between 1st January and 8th May 1967 six strokes were inflicted on 36 occasions and four strokes on only ten occasions. Mr. Fidoe's punishments varied between three strokes and six. Mr. Haydon's explanation is that, being a newly appointed headmaster, he must impress on the boys that they cannot take advantage of him: I accept that it was essential for him to give that impression and to avoid any appearance of weakness, but I doubt whether such a consideration warrants a decision to make no discrimination in the quantity of the punishment.

The cane used

38. I am satisfied that at all times since the end of 1961 an unauthorised cane has been used at this school in breach of Rule 35(*a*). The cane approved by the Secretary of State is 36 inches long and between eight and ten millimetres in diameter. By an Approved Schools Bulletin (No. 38 of 1947, re-publicised in 1952) approved schools were reminded that only the authorised canes might be used and that such canes could be obtained free of charge from the Home Office. Until December 1961 supplies of canes were ordered on behalf of Mr. Fidoe from the Home Office at the rate of about four per year. However, on several occasions in 1963 Mr. Fidoe complained to his then deputy headmaster, Mr. E. K. Garlick, that these canes were unsatisfactory because they tended to break easily, and eventually he told Mr. Garlick to " get some decent sticks ". Mr. Fidoe himself, though aware of the Approved School Rules, did not attach great importance to whether or not the canes were approved by the Home Secretary: as he said in evidence " a stick was a stick—it was there—and I used it ". He relied entirely on Mr. Garlick. The latter, having noticed or had his attention drawn to an advertisement in a journal, ordered a supply of six canes from the Eric A. Wildman Tutelage Supply Company, of Chingford, London, E.4, on 2nd October 1963. He admits he knew it was wrong to do so. Mr. Garlick asserts that he destroyed the canes when they arrived because he thought they were unsuitable, but I do not accept that. However that may be, in July 1965 Mrs. Violet Thompson, the headmaster's secretary, was told by Mr. Fidoe to order some more canes. She found in a drawer where such things were kept a price list for canes issued by the Eric A. Wildman Tutelage Supply Company; she consulted Mr. Fidoe, who marked on the list the type of cane he wished to be ordered, and in good faith she accordingly sent out an order (No. 858) for six canes. These canes were a half inch in diameter and were the same as had been used since Mr. Garlick's order in October 1963, and have been used ever since. On making his preliminary investigations the Treasury Solicitor found in a recess of the headmaster's desk a supply of 16 unused half-inch diameter canes, and the cane obviously in current use was of similar dimensions.

39. Mr. Haydon had used an approved cane at his previous school (Shawbury Senior Approved School) and so ought to have recognised that the canes he took over on going to Court Lees School were of a larger calibre. He frankly admitted that it was negligent of him to have failed to do so. I think that he, like Mr. Fidoe, did not trouble to think whether the cane was proper to be used

or not, but it was not unreasonable for him to assume that the canes he took over at the school on his assuming office were properly authorised canes.

40. It may be that the use of a cane larger than the type approved by the Secretary of State contributed to causing the injuries which I shall mention hereafter.

Clothing worn by boys when punished

41. Boy No. 23 is now 15 years and ten months old, and came to the school on 7th March 1966. Shortly after his arrival, the housemaster of Hale House, Mr. John Walter Wright, found him and another boy, boy No. 9, talking in the dormitory after lights out. He gave them a warning, but they repeated the offence, so at about 10 p.m. he made them get out of their beds and took them down to his office. Mr. Wright sent for the deputy headmaster, Mr. Draycon, who caned each boy there and then. According to both Mr. Wright and boy No. 23, when caned each boy was wearing no more than a jacket and his pyjama trousers.

42. Boy No. 4, aged 16, who has now left the school, alleged that on 30th July 1966 (which he remembers as World Cup night) Mr. Kenneth Davey, the senior joinery instructor, caught him playing "Indians" in the dormitory about 2 a.m. and took him, with another boy, downstairs, where Mr. Draycon caned him. He was wearing only his pyjama trousers on the lower half of his body. Mr. Davey himself does not remember the incident but says that he would not have been in the school at such a time of night, and Mr. Draycon denies caning any boy over pyjama trousers. I was not disposed to rely on boy No. 4 as a witness and I find that this allegation is not proved.

43. Boy No. 18, aged 15 years and eight months, has been at the school since December 1965, during which time he has been caned three times. He alleges that the last time was about three months before the inquiry, i.e. about April 1967, when Mr. Wright reported him and another boy, boy No. 6, for the offence of fighting in the dormitory. They were caned immediately by Mr. Draycon, and at the time boy No. 18 at any rate was wearing pyjama trousers. There is no corroboration of this story and it is not recorded in the Punishment Book. Mr. Wright remembers a similar occasion when boy No. 18 was caned, but he thinks it occurred in the autumn of 1966, and says that then boy No. 18 was not wearing pyjamas but his evening trousers. The matter is not free from doubt and I hold this allegation also has not been proved.

44. It is clear that in the case of boy No. 23 (which I find is proved) there was a breach of Rule 35(*c*) which stipulates that if corporal punishment is applied on the posterior with a cane it shall be applied over the boy's ordinary cloth trousers. I take this to mean the boy's ordinary day trousers, and, in my opinion, the rule is clearly intended to lay down that the cane may be applied only over the boy's ordinary clothing (though it does not expressly say so). Several boys, boys Nos. 3, 11, 13, 20 and 22, alleged that when they were caned by Mr. Haydon, he had pulled their shirt tails out of their trousers before commencing the punishment. Mr. Wright was present when boys Nos. 3, 11 and 20 were punished, and Mr. Davey was present at the punishment of boy No. 22; they both said that the boys' shirts were not taken out of their trousers, that no more was done than to lift the bottom of the boys' jackets out of the way

or to remove anything in the trousers which might cut the boy when the cane was applied. On the other hand, Mr. Haydon himself candidly admitted that he pulled out the shirt of boy No. 22 before caning him and that from time to time he does pull a boy's shirt out of his trousers *in order to make the caning more severe*. He thinks that this act also lends a certain drama to the occasion which impresses the boy. I cannot accept the evidence of Mr. Wright and Mr. Davey in this respect and I have no doubt that all these allegations by the boys referred to above are true, and I believe that if Mr. Haydon had given the matter any thought he would have realised that it was not a permitted practice.

45. In my opinion, it is clear that the intention of the rule is to provide that the impact of the cane should *not* be more severe than when applied over the boy's ordinary clothing. Though it seems at least very doubtful whether the removal of the shirt makes any significant difference to the impact of the cane, I think it is contrary to the rule. It has the additional significance that, as Mr. Haydon admitted, it is done on occasions when the headmaster intends to apply the cane harder, so that those punishments are given with greater force when there is less protection.

Excessive severity of punishment

Boy No. 3

46. This lad is now aged 15 years and four months, and came to Court Lees School in April 1966. He has been punished with the cane three times, though only one occasion is recorded in the Punishment Book. I accept his evidence that one of those unrecorded was in 1966 when he was caned by Mr. Draycon. He says the caning hurt much more then than when he was later caned by Mr. Haydon, and that his buttocks were extensively bruised. There is no other evidence that this punishment was excessive in severity and I find it is not proved.

47. On 2nd January 1967 this boy was caned by Mr. Haydon. As I have said above, the headmaster pulled the lad's shirt out of his trousers to make the caning more severe. After receiving five strokes of the cane, boy No. 3 says, he fell to the floor, probably trying to avoid more, and while on his hands and knees, attempting to crawl out of the way, he received two more strokes. By chance Mr. Cook was at that moment outside the door of the headmaster's room and he estimates that about eight or nine strokes were administered. The boy says that, having fallen to the floor, Mr. Wright (who was present as witness) held his (the boy's) head between his (Wright's) legs while the punishment was completed. Mr. Haydon does not precisely remember this incident, but he says he has never administered more than six strokes. There is no evidence that Mr. Haydon used excessive force in punishing this boy and I am not satisfied that more than six strokes were inflicted.

48. Mr. Wright denied holding the boy's head as described between his knees, but I accept that this allegation is established and I think that it is an irregular method of controlling a boy during corporal punishment.

Boy No. 13

49. Boy No. 13 is a small boy now 14 years and nine months of age and is at another school. He was at Court Lees School from October 1966 to April 1967, and was there caned twice for absconding. On the first occasion, 19th

January 1967, he was brought back from Bow Street Police Station and on his arrival at Court Lees School was caned forthwith by Mr. Haydon, receiving six strokes. He says that after the first two strokes he had to be held down by a master, and Mr. Haydon recalls that the lad was held down over a table by either Mr. Wright or Mr. Thompson because he would not keep still. Mr. Cook later saw weals on the boy's buttocks which he describes as comparable with the case of boy No. 2 (paragraph 54 below), but the bruising was not so severe.

50. On 16th February 1967, boy No. 13, having absconded, was again caned by Mr. Haydon promptly upon being brought back to the school. On this occasion, Mr. Haydon pulled the boy's shirt out of his trousers and Mr. Pope, who was present, held him down, one hand on his neck and one holding his hands. The boy alleges that having had six strokes, Mr. Haydon said "one didn't hit you" and he received two more, making a total of eight strokes, which (if true) would have been contrary to Rule 35(*c*) since the boy was not yet 15 years of age. The Punishment Book records only six strokes, and I accept Mr. Haydon's evidence that he has never inflicted more.

51. Mr. Cook described the injuries consequent on the punishment of boy No. 13 on 16th February 1967 as "far and away the worst I have ever seen in my life—far worse than those of boy No. 2" (*infra*). He says that there was one solid rectangular bruise extending from the small of the back down to the lower part of the buttocks, and extending the full width of the buttocks. I think this is to some extent an exaggeration but Mr. David James Ellison, the housemaster of Gillum House, who impressed me as an excellent and entirely reliable witness, not given to exaggeration, described the bruising he saw on the buttocks of boy No. 13 as the worst he had ever seen, comparable to that shown in the colour photograph of the buttocks of boy No. 2 (*infra*).

52. I find proved the allegation of excessive severity in the punishment of this boy on 16th February 1967.

Boys Nos. 2, 7, 8 and 20

53. These four boys are aged 14½, 14, 14 and 15 years respectively. The evidence concerning them principally centres on colour photographs of their buttocks taken surreptitiously (with their consent) by Mr. Cook on 6th April 1967, in a small box room at the end of Gillum House dormitory.

54. Boy No. 2 had been given six strokes of the cane by Mr. Haydon on 4th April for smoking in the dormitory. The boy describes the caning as a lot harder than he had previously experienced in a secondary modern school. After receiving two strokes he fell down but, he says, Mr. Haydon then pulled him up and gave him four more strokes.

55. The three other boys were caned on 5th April for having absconded together. Boy No. 20 had his shirt pulled out of his trousers and Mr. Wright held his head between his knees. Each received six strokes.

56. On the following day, 6th April, Mr. Cook took colour photographs of the buttocks of these four boys, and immediately sent the undeveloped spool of film to Mr. Driver of *The Guardian* newspaper. That he felt forced to take such a course shows how estranged he was from the other masters, but the photographs have been of the greatest help and importance as evidence in the

inquiry. The colour transparencies were admitted by all concerned to be genuine photographs of the four named boys and an expert witness, Mr. J. Rytina, who is in charge of the photographic department of Guy's Hospital, London, declared that they were untouched and that the colour was true to life. There was no suggestion that the marks on the boys' buttocks had in any way been artificially emphasised or altered. I am satisfied by the medical evidence that none of these boys had an abnormal tendency to bruise more easily or to a greater extent than an average person.

57. Medical witnesses of great eminence in their profession, namely Professor Keith Simpson, Dr. Donald Teare and Dr. David Paul, gave evidence before me. They were unanimous in saying that the photograph of boy No. 2 revealed injuries of quite unusual severity. Professor Simpson and Dr. Teare declared that if such cases as boys Nos. 2 and 8 had been brought to them in their hospitals, they would have felt bound to call for an investigation by the police or other authority. Professor Simpson would add the case of boy No. 20. Dr. Paul and Mr. Rytina think that the injuries of boy No. 2 alone were outside the limits of normal caning by schoolmasters.

58. One must be very careful in judging the severity of caning by the consequent weals and bruising, particularly because few people can say what marks are created on buttocks after a properly moderate caning. But after careful consideration of the evidence, including the photographs, I have come to the conclusion that excessive force was used in the caning of boys Nos. 2, 8 and 20. I would categorise the punishment of boy No. 2 as greatly excessive in severity, and of boy No. 8 as almost of the same degree.

Boy No. 14

59. This boy is now aged 13 years and four months, and has been at the school since about January 1967. He said he had received no punishments at all until 16th April when he received four strokes of the cane from Mr. Haydon. The following day, Mr. Cook photographed his buttocks with a black and white film, which was not produced in evidence, and gives his opinion that the bruises he saw on the boy's buttocks were similar in severity to those of boys Nos. 8 and 20 (*supra*). Mr. Haydon testified that he did not use any undue force and added "one tends to be easier when the boy is small". I accept Mr. Haydon's evidence and find this allegation fails.

Mental disability

60. Rule 35(*d*) provides:—"No boy with any physical or mental disability shall be so punished without the sanction of the Medical Officer".

61. Mr. Cook expressed the opinion that many, if not all, of the boys at the school were mentally unfit for corporal punishment, and he alleged that boys Nos. 13 and 20 (*supra*) and others, Nos. 5, 10 and 19, were particular instances of boys with a mental disability who ought not to have been caned. Neither headmaster considered any boy who had been caned was mentally unfit for corporal punishment and Dr. Laurent, who has been the school's Medical Officer for the past 20 years, says that no headmaster has ever sought his advice as to whether a boy suffered from a mental disability.

62. The question does not seem to have occurred to anyone at Court Lees School. The principal difficulty arises from the lack of any definition of, or guidance on, the meaning of " mental disability ", and until there is some guidance upon the interpretation of that term in the Rules headmasters of approved schools cannot be altogether blamed for putting their own meaning upon it.

63. The average approved school is not intended to receive children who are mentally ill or handicapped but I am advised that this sometimes happens. Indeed, I heard evidence that two boys at Court Lees School (one of whom had been a mental hospital patient some time before being committed) had been sent to mental hospitals by Dr. Ling, the school's consultant psychiatrist. Therefore, the staff should always be alert to this possibility. But it does not seem at all clear that " mental disability " means, or was intended to mean, the same thing as " mental disorder " in the Mental Health Act 1959. In Part III of the Report of the Committee to Review Punishments in Prisons, Borstal Institutions, Approved Schools and Remand Homes 1951,* paragraph 50, mental disability seems to have been treated as synonymous with mental abnormality. Mr. Cook interprets the term as including neurosis, emotional disturbance, lack of a feeling of security and the natural unhappiness of a boy taken from his home, whereas Dr. Ling interprets " mental disability " as a mental illness which requires the sufferer to be sent to a mental hospital. Although I think it may be very undesirable to inflict corporal punishment on boys who are seriously emotionally disturbed, I cannot equate that with " mental disability".

64. The allegations were that the boys Nos. 13 and 20 were emotionally disturbed and that boy No. 13 had a neurotic habit of incessantly drumming his fingers on the table in class, so violently that Mr. Cook felt obliged to interpose a cushion between his fingers and the desk to stop the noise he made. I saw no sign of any neurotic tendency or mental disturbance when these boys gave evidence; the former was calm and confident in the witness box and the latter seemed quite normal, though probably feeling too old to be at this particular school.

65. I find that none of these allegations is well founded.

Corporal punishment in the presence of other boys

66. When the inquiry began only one incident was alleged when a boy had been caned in the presence of another, contrary to Rule 35(*f*). This was the case of boy No. 21, aged 15½ years, who said that he was punished by Mr. Fidoe " about two months after Easter 1966 " in the presence of boy No. 12. I am satisfied upon the evidence that the caning really took place about August or September, but I am also satisfied that neither boy was punished in the presence of the other. What happened was that one waited outside the closed door of the headmaster's room while the other was caned within the room.

67. I must point out that the evidence established that corporal punishment was often administered to a boy in the headmaster's room when other boys were waiting their turn outside the door, where they could hear (and often see through the arctic glass panelling) the punishment being given. It was easy to hear voices and even the swish of the cane. It seems to me that this cannot be said

* Cmd. 8429.

to be a breach of Rule 35(*f*), but it may be considered that in the circumstances this is rather a legalistic interpretation of the meaning of " presence " in the Rule.

The absence of an adult witness

68. The Approved School Rules contain no provision requiring the presence of a teacher or other member of the staff to witness the infliction of corporal punishment but I am advised that it is a very common custom, and a prudent one, strongly recommended in approved schools. I am not satisfied that such a witness was not present on any occasion.

69. It has been alleged also that in some instances the adult who signed the Punishment Book as witness was not in fact a witness of the punishment. Mr. A. J. Pope, who came to the school as relief housemaster in January 1967, is sure that he was the sole witness of two canings by Mr. Haydon but he was not required to sign as witness, so that, if the punishment was recorded, someone else must have signed falsely. However, Mr. Pope's memory was not very clear, and I have come to the conclusion that such allegations have failed.

Failure to record punishments in the Punishment Book

70. The evidence relating to these allegations is necessarily vague because the memory of most of the witnesses was not sufficiently clear as to the date of the punishment and consequently it was difficult to be sure whether it had or had not been properly recorded.

71. I have, however, no doubt that there have been many instances of failure to record corporal punishment both in Mr. Fidoe's time and in Mr. Haydon's time.

72. The Punishment Book was habitually kept in a convenient cupboard in the office of either the headmaster or the deputy headmaster and there can be no doubt that more often than not the proper record was entered immediately after the punishment. However, I am driven to the conclusion that sometimes no record was made, particularly in the following instances:—

(*a*) On two occasions in 1966 boy No. 3 was caned by Mr. Draycon, but no record was made of either occasion (see paragraph 46 above).

(*b*) Mr. David James Ellison (*supra*), the housemaster of Gillum House recalls that he was present on an occasion early in 1967 when Mr. Haydon caned a boy, who was not a member of Gillum House, late at night. He remembers that he was the only witness present and that the boy received six strokes on his posterior. Mr. Haydon honestly does not remember ever caning a boy in the presence of Mr. Ellison, but although Mr. Ellison does not remember the exact date or the name of the boy concerned I am convinced by his evidence that such an event did happen. There is no record in the Punishment Book of any caning attended by Mr. Ellison, so unless someone falsely signed as witness there must have been a failure by Mr. Haydon to record the incident.

(*c*) On a day unknown, probably just before Easter 1967, Mr. Leslie Atkinson Thompson, who is the senior assistant master at the school, took boy No. 16 (aged 15) to Mr. Draycon because the lad had been

creating a fracas in the classroom and had sworn at Mr. Thompson. He remembers that Mr. Draycon immediately punished the boy by two strokes of the cane on his hand. Mr. Thompson has no doubt of his memory of this event which was impressed on his mind because the punishment greatly shocked the boy. Mr. Draycon has no recollection of the incident but says he would accept Mr. Thompson's evidence. I am satisfied that this punishment did take place and that it has not been recorded by Mr. Draycon.

(*d*) The punishment of boys Nos. 12 and 21 mentioned in paragraph 66 above was not recorded by Mr. Fidoe.

(*e*) In about August or September 1966, boy No. 22 was given three strokes of the cane by Mr. Fidoe for threatening or fighting with Mr. Cook. This is not recorded.

(*f*) Sometime between the autumn of 1966 and the following spring, boy No. 18 was caned by Mr. Draycon, but the punishment was not recorded.

73. I am not satisfied that other allegations of failure to record punishments in the Punishment Book have been made out. This applies particularly to the allegations concerning the alleged caning of boys Nos. 1, 4 and 15.

74. I draw attention to the fact that only corporal punishments are recorded in the Punishment Book notwithstanding that Rule 37 demands the " immediate recording of all corporal and other serious punishment ". The reduction of periods of leave and down-grading appear to me to be examples of serious punishments, but I understand that it is not now the practice of approved schools to record such matters in the Book and that this is accepted by the Home Office.

Allegations of prohibited corporal punishment

75. Rule 38 prohibits the striking, cuffing or shaking of boys or the use of any other form of violence upon them (all defined in the rule as " corporal punishment "). It was alleged that two masters, Mr. J. W. Wright and Mr. Cook, had been guilty of a breach of that rule on one occasion each as follows:—

(*a*) On 2nd January 1967, boy No. 3 was caned by Mr. Haydon (see paragraph 46 above), and was then taken by Mr. Wright (as he was crying) to the wash room. The boy apparently wanted to cry unseen and tried to push past Mr. Wright, who restrained him and it is alleged made his nose bleed. Mr. Wright denied this, and I accept his evidence. If the boy's nose did bleed due to anything Mr. Wright did, as to which I am not satisfied, I think it was done accidentally when Mr. Wright was properly trying to calm the boy.

(*b*) On 14th March 1967, Mr. Thompson had given the boys permission to go by coach to see a football match at Redhill, provided they had no continuing duties to perform at the school. Boy No. 1 was on duty in the kitchens, but asserts that he had finished his task, and he went to the coach expecting to go to the match. Mr. Cook called him back and told him he could not go, giving no reason. As the boy protested, Mr. Cook pulled him down the steps of the coach and got four other boys to take him to the Common Room,

where he was locked in. Very soon afterwards Mr. Cook came into the Common Room and the boy tried to force his way out but, he says, " Cook put his arm up to stop me and I ran into it ". The boy gave no further evidence about this incident. But Mrs. Margaret Parkinson, a housemother since January 1967, recalls that she saw the incident after the boy had escaped from the Common Room. She testified that the lad was on the ground, screeching, and that Mr. Cook had a grip on his hair, pulling him along the ground. Mr. Cook himself says that the lad escaped from the Common Room through a window and when he found him, apparently a few moments before Mrs. Parkinson came on the scene, he attacked Mr. Cook with his fists. Mr. Cook admits that he lost his temper, but denies that he pulled the boy along by his hair.

76. I have found considerable difficulty in reaching a firm conclusion about this latter incident, but in the end I feel there is a reasonable doubt about Mr. Cook's part in it because I think it probable that he was acting more in self-defence against an enraged and disappointed boy than taking the initiative. I, therefore, hold that this allegation has failed.

Other allegations

77. (i) Mr. Cook alleged that on 27th February 1967, the day that boy No. 11 had been caned for rudeness to a girl at a bus stop, Mr. Draycon had publicly humiliated the lad by announcing to the assembled school at evening Assembly that " to show what a coward he is, (he) blubbed when caned ". Mr. Draycon denies the use of the word " blubbed " but admits that he stood the boy up before the assembled boys and told them that he had taken his punishment in a very cowardly fashion. I consider that this does not constitute irregular punishment under the Rules, and it is not my function to make any other comment.

(ii) Two boys, boys Nos. 11 and 21, say they were punished by additional punishments after being caned for an offence. The former was downgraded and the latter was deprived of two days of his home leave. These double punishments are not contrary to the Approved School Rules.

Summary

78. To summarise my findings, I have to report as follows:—

(*a*) In some respects the headmasters have not conformed with Rule 34(iv) of the Approved School Rules (see paragraph 37 above).

(*b*) During the headmastership of both Mr. Fidoe and Mr. Haydon canes of a type not authorised by the Secretary of State were habitually used for corporal punishment contrary to Rule 35(*a*) (see paragraph 38 above).

(*c*) Mr. Draycon on one occasion caned a boy who was not wearing his ordinary cloth trousers. No other such incident has been proved specifically though I am satisfied this irregularity has been committed sometimes. Mr. Haydon has frequently caned boys after withdrawing their shirts from their trousers (see paragraphs 41 and 44 above).

(*d*) In four instances Mr. Haydon has caned boys with excessive severity, (see paragraphs 50 and 53–58 above).

(*e*) There is no evidence that boys suffering from mental disability have been caned (see paragraphs 64 and 65 above).

(*f*) There is no evidence that any boys have been caned in the presence of other boys (see paragraph 66 above).

(*g*) I am not satisfied that any boy has been caned without there being present an adult witness, nor that any person signing as witness has falsely signed as such (see paragraph 68 above).

(*h*) Mr. Fidoe, Mr. Draycon and Mr. Haydon have on many occasions failed to record corporal punishments in the Punishment Book (see paragraphs 71 and 72 above).

(*i*) Neither Mr. Wright nor Mr. Cook have been guilty of a breach of Rule 38 (see paragraphs 75 and 76 above).

(*j*) Other allegations of irregular punishments have not been established as contraventions of the Approved School Rules (see paragraph 77 above).

V. CONCLUSION

79. It is not within the Terms of Reference for me to comment on the quality of supervision exercised by the managers in regard to the administration of punishment in this school. They did not know the evidence on which my findings have been based for they relied upon the information contained in the Punishment Book or given to them by the headmaster, and those who could have brought the irregularities to their attention refrained from doing so.

80. I wish to express my thanks for the facilities afforded to me by the managers and by Mr. Haydon at the school. I wish also to express my warmest thanks to the assessor, Mr. L. J. Wardle and to my secretary, Mr. D. S. Marks. Mr. Wardle placed his wide knowledge of approved schools at my service and gave me his advice in a most helpful, tactful and impartial manner. Mr. Marks, too, has been of invaluable assistance in the efficient conduct of the inquiry. Finally, I would record my appreciation of the great assistance I have received from the thorough way in which the officers of the Treasury Solicitor's department have prepared the material for investigation.

I am, Sir,

Your obedient servant,

E. Brian Gibbens

27th July 1967

APPENDIX A

LETTER PUBLISHED IN *The Guardian* ON 2ND MARCH 1967

LETTERS TO THE EDITOR

Seven thousand naughty boys . . .

SIR,

May I, as a teacher at a privately run, publicly financed Approved School, add something to the storm aroused by Jonathan Steele's contribution (9th February) and G. Williamson's reply (17th February)?

From my own experience in such schools I should say that the main reasons for their failure are as follows:—

(i) The school managers are (so far as my experience goes) from a single class; persons with some money, no work, and a desire to salve their consciences by devoting an hour or two a month to " good works ". Thus at my school we number retired army officers, retired members of branches of the legal professions, unemployed country gentlemen, and various middle-class wives.
With very few exceptions the boys come from working-class families, always with a long history of social difficulties that result not only in child delinquency but also in homes that are socially and materially defective. The managers do not understand the boys or their parents, and have no idea at all of what living on a low working-class income may involve.
The managers of my school form a self-perpetuating committee, electing themselves and their successors. Every penny that they handle is public money, but because that money is paid to them as reimbursement for sums (on credit) that they have paid from the " charity " that they purport to administer, there is no public representation on that committee whatsoever.

(ii) Far too many of the staff at such schools are not professionally qualified in any way to deal with children, let alone the psychiatrically disturbed youngsters with whom we have to deal. At my own school only five are qualified out of a staff of about forty. Of the housemasters, not one is qualified in any way.
Apparently any tradesman may obtain employment at an Approved School solely upon the strength of his trade qualification. He may indeed be an excellent bricklayer or a first-class worker at a lathe, but he has no conception of the way to handle young delinquents. In general the opinion amongst the school staff is that the boys are here to be disciplined or " trained ". They advocate the cane (and use it, unofficially). Psychiatric treatment is scoffed at as the woolly view of some airy theorist and termed " soft ".
In my view no person should be permitted to have any control over children unless a qualified teacher, unless he or she has attended and passed a Home Office course.

(iii) The school discipline is entirely negative, reinforced by a savage use of the cane that would horrify anyone not inured to it. It is not pleasant to hear a boy screaming (this is not exaggeration; it happens at this

school every week; sometimes day by day). After such treatment the boys' buttocks are covered with green and black bruises, extending from one side to the other in a band perhaps eight inches in width. I have known such bruising still to be visible six weeks after the caning that caused it, although in most cases the bruises have gone within a month.

Anguish for staff

I am well aware that the boys are not angels, and I do know that their conduct causes a good deal of anguish to the staff. But after all, we are supposed to be professional people (although most of us aren't), and I had assumed that society appointed us because we were able to deal with such problems without committing a more brutal assault than that which occasioned the punishment. Perhaps I could pose these questions to Mr. Williamson? Do boys at his school abscond? And when recovered, what is done to them? And does he ever (unexpectedly) enter the boys' shower room to see whether any buttocks are bruised? And if a boy is caned after returning from absconding, is that supposed to teach him to like the school?
In my experience boys only abscond under severe emotional distress. The only way to stop absconding is to give the boys a home (even in a school this can be done given the will) and a haven, the pull of which is so strong that he does not want to leave it.

(iv) The schools are generally operated in complete isolation from parents, who, in most cases, are effectively discouraged from visiting the school. Thus I know of schools where visiting mothers, often fat, middle-aged, varicose-veined, with two or three struggling children or a baby-in-arms, are left to walk up (and later down) a country lane for three miles without transport. On arrival there is no sitting room (and no seats). Moreover there is no lavatory. There is no such thing as a cup of tea (which the parents would willingly pay for) and no possibility of privacy.
Remember, this is not a local school, but a boarding school so remote that some parents travel for four hours before reaching the school. How can effective contact with parents be made under such conditions?

(v) The staff, at least at my school, are in a state of perpetual near-revolt. What stops this turning into effective action is, first, that the staff live in staff-houses that are tied to the job. Secondly, this is a private school, which means that it is run with public money under private control. This means that in case of a dispute the staff has no recourse to appeal. There would be no need to dismiss the man; a change in staff dispositions would suffice, leaving him "redundant" and without a home. Under these circumstances the staff seethe but do nothing effective. Yet twice during the past few years this school has avoided open revolt by the boys by the skin of its teeth. One day it will not be so lucky.

I have no doubt that the managers of this school are just as complacent and self-satisfied as is Mr. Williamson. I have no doubt, but I cannot know, for during all my years of teaching I have never yet actually spoken with such

godlike and remote beings. As for the Home Office inspectors, they are welcomed at this school. They are very nice people. They are taken into dinner, and with the headmaster standing by, they ask the teachers " is everything all right? "

I regret my name and address are not for publication. My fears over the loss of my house if I were identified with this letter are very real ones.

Yours, etc.

Approved School Teacher

LETTER PUBLISHED IN *The Guardian* ON 7TH MARCH 1967

Approved schools: whole system at fault

SIR,

It is a pity that so much emphasis has been placed upon my reference to " day to day " in my earlier letter (1st March). What I actually wrote was: " every week; sometimes day by day." What I meant by this was that usually someone is fairly savagely beaten in each week. Sometimes the beatings are more frequent, with several boys being beaten in a single day. Obviously, there is nothing regular about the frequency.

The trouble is that the Establishment will be quick to seize upon the matter of beatings (as, indeed, the Home Office has done in its statement reported in *The Guardian* on Friday last) in the hope that by detecting what they imagine is an error, they may thereby ignore my other points. Now these other points are very important. Worse things can happen to a boy than a beating. He may lose his faith in human beings. He may even be brutalised, not merely by beatings, but by the incompetence and indifference of those about him.

I have no doubt that the Home Office would dearly love to know the name of my school. They shall not have it. My school is little different from most of the others; what is wrong is not the headmaster, who is basically a kindly man given to beatings because he believes it does the boys good and because that is the way he was trained, but the system.

It is the job of the Home Office to know what goes on in their schools. If they don't know then they must find out. I'll guarantee that there will be a marked falling off in caning for the next six months at least. But that is not enough. At present caning is the easy way out. It is a substitute for thought.

Yours sincerely,

Approved School Teacher.

JERSEY LAW 16/1969
"CHILDREN (JERSEY) LAW, 1969",

CONFIRME PAR

Ordre de Sa Majesté en Conseil
en date du 25 juin 1969

(*Enregistré le* 8 *août* 1969)

ARRANGEMENT OF ARTICLES

PART I

INTRODUCTORY

Article

1. Interpretation

2. Provision of remand centres

PART II

EMPLOYMENT

General provisions as to employment

3. Power to make orders regarding employment of children

4. Penalties and legal proceedings in respect of general provisions as to employment

Performances

5. Restriction on children under sixteen taking part in public performances etc.

6. Supplementary provisions as to licences under Article 5

7. Offences

8. Power of entry

PART III

CHILDREN EXPOSED TO PHYSICAL AND MORAL DANGER

9. Cruelty to children under sixteen

10. Warrant to search for or remove child under seventeen

PART IV

PROTECTION OF CHILDREN IN RELATION TO JUDICIAL PROCEEDINGS (OTHER THAN MATRIMONIAL PROCEEDINGS)

Juvenile offenders

11. Age of criminal responsibility

12. Punishment for offences involving sentence of death

13. Punishment for serious offences

14. Provisions relating to children sentenced pursuant to Article 12 or 13

15. Restriction on imprisonment

16. Borstal training

17. Return to borstal institution on re-conviction

18. Elimination of intermediate and short prison sentences

19. Detention of offenders aged fourteen to twenty

20. Detention of defaulters aged fourteen to sixteen

21. Defaulters already in detention centres

22. Consecutive terms and aggregate periods of detention

23. Attendance at an attendance centre

24. Power to send child offenders to approved schools or to commit them to fit persons

25. Power to order parent or guardian to pay fine etc.

26. Remand of children to remand centres

Children in need of care, protection or control

27. Meaning of "in need of care, protection or control"

28. Power of Royal Court in respect of children in need of care, protection or control

Ancillary provisions

29. Supervision by probation officers or officers of the Committee

30. Provisions as to orders of committal to fit persons

31. Committal to Committee as "fit person"

32. Return to family of persons committed to care of Committee

33. Provisions as to custody of children in remand centres

34. Provisions as to approved school orders

35. Transfer of children to approved schools and detention centres and removal to place of safety

Special procedure with regard to offences specified in First Schedule

36. Power to proceed with case in absence of child under seventeen

37. Extension of power to take deposition of child under seventeen

Court Proceedings

38. Constitituon of Juvenile Court

39. Jurisdiction of Juvenile Court

40. Procedure in Juvenile Court

41. Miscellaneous provisions as to powers of Juvenile Court

42. Attendance at court of parents of child brought before court

43. Restriction on presence of persons in court during hearing of proceedings to which Part IV applies

44. Restriction on newspaper and broadcast reports of proceedings to which Part IV applies

45. Prohibition against children under seventeen being present in court during trial of other persons

46. Power to clear court while child under seventeen is giving evidence in certain cases

47. Evidence of child of tender years

48. Power to prohibit publication of certain matter

PART V

PROTECTION OF CHILDREN OF PARTIES TO PROCEEDINGS FOR DIVORCE, NULLITY OF MARRIAGE OR JUDICIAL SEPARATION

49. Interpretation of Part V

50. Extension of jurisdiction of Matrimonial Causes Division to further classes of children

51. Restrictions on grant of relief in proceedings for divorce etc. involving welfare of children

52. Power of court to provide for children on dismissal of proceedings for divorce etc.

53. Power of court to commit children to care of the Committee

54. Power of court to provide for supervision of children

PART VI

PROTECTION OF FOSTER CHILDREN AND CERTAIN CHILDREN DURING SCHOOL HOLIDAYS

55. Interpretation of Part VI

56. Meaning of "foster child"

57. Duty of Committee to ensure well-being of foster children

58. Duty of persons maintaining foster children to notify Committee

59. Power to inspect premises, impose conditions or prohibit the keeping of foster children

60. Appeal to Royal Court against requirement or prohibition imposed under Article 59

61. Disqualification for keeping foster children

62. Removal of foster children kept in unsuitable surroundings

63. Power to issue warrants to search for and remove foster child

64. Insurances on lives of foster children

65. Extension of Part VI to certain school children during holidays

66. Extension of Part VI to certain children above compulsory school age

67. Offences

PART VII

NURSERIES AND CHILD-MINDERS

68. Registration of nurseries and child-minders

69. Power to impose requirements in connexion with registration

70. Certificates of registration

71. Offences

72. Cancellation of registration

73. Notice of decisions

74. Appeals

75. Inspection

76. Exemption of certain institutions

PART VIII

VOLUNTARY HOMES

77. Meaning of "voluntary home"

78. Registration of voluntary homes

79. Right of Appeal

80. Orders as to conduct of voluntary homes

81. Inspection

PART IX

DUTY OF COMMITTEE TO ASSUME CARE OF CHILDREN

82. Duty of Committee to provide for orphans, deserted children, etc.

83. Power of Committee to apply for parental rights order

84. Effect of parental rights order

85. Duration of parental rights order

86. Application of preceding provisions to children already subject to orders of court

87. Duty of parents to keep in touch with Committee

PART X

TREATMENT OF CHILDREN IN CARE OF COMMITTEE

88. Application of Part X

89. General duty of Committee

90. Mode of provision of accommodation and maintenance

91. Orders as to boarding-out

PART XI

CONTRIBUTIONS TOWARDS MAINTENANCE OF CHILDREN

92. Application of Part XI

93. Persons by and to whom contributions are payable

94. Contribution orders

95. Duty of parents to notify change of address

96. Application of Part XI in relation to illegitimate children

97. Application of Part XI in relation to children awaiting adoption

PART XII

ESCAPES FROM REMAND CENTRES AND APPROVED SCHOOLS, AND FROM CARE OF FIT PERSONS

98. Escapes etc. from remand centres

99. Escapes from approved schools etc.

100. Escapes from care of fit persons etc.

PART XIII

GENERAL

101. Service of notices etc.

102. Determination of age

103. Obstruction of officers etc.

104. General provision as to appeals

105. General provisions as to orders and rules

106. Amendment of Family Allowances Law

107. Transitional provisions

108. Repeals

109. Short title and commencement

SCHEDULES

Schedule 1. Offences against children with respect to which special provisions of this Law apply

Schedule 2. Juvenile Court

Schedule 3. Amendment of Family Allowances Law

Schedule 4. Transitional provisions

Schedule 5. Enactments repealed

CHILDREN (JERSEY) LAW, 1969.

A LAW to repeal and re-enact with amendments certain enactments relating to children and young persons, to make further provision for the protection of children, and for purposes connected with the matters aforesaid, sanctioned by Order of Her Majesty in Council of the

25th day of JUNE, 1969.

(*Registered on the 8th day of August,* 1969).

STATES OF JERSEY.

The 22nd day of April, 1969.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law: -

PART I

INTRODUCTORY

ARTICLE 1
INTERPRETATION

(1) In this Law, unless the context otherwise requires –

"adopted" means adopted in pursuance of an adoption order made by a court of competent jurisdiction in the British Islands;

"approved school" means a school approved by the Secretary of State under section seventy-nine of the Children and Young Persons Act, 1933 (23 Geo. 5, c. 12);

"approved school order" means an order made by the Royal Court sending a child to an approved school;

"attendance centre" means an attendance centre provided by the Prison Board;

"borstal institution" means a borstal institution provided by the Secretary of State in accordance with section forty-three of the Prison Act, 1952 (15 & 16 Geo. 6 and 1 Eliz, 2, c. 52);

"child", where used without qualification and except in Parts VI and XI of this Law, means a person under the age of twenty years;

"children's home" means any home or other institution, under the administration of the Committee, for the accommodation, care and maintenance of children;

"the Committee" means the Education Committee;

"default" means failure to pay any sum of money, or failure to do or abstain from doing anything required to be done or left undone;
"detention centre" means a detention centre provided by the Secretary of State in accordance with section forty-three of the Prison Act, 1952;
"detention centre order" means an order made by a court for the detention of a child in a detention centre;
"enactment" includes any enactment of the Parliament of the United Kingdom;
"fit person order" means an order made under this Law committing a child to the care of a fit person;
"functions" includes powers and duties;
"guardian" in relation to a child, includes any person who, in the opinion of the court having cognisance of any case in relation to the child or in which the child is concerned, has for the time being the charge of or control over the child;
"hospital" means any premises administered by the States and used for the reception of, and the provision of nursing for, persons suffering from any sickness, injury or infirmity, or for the reception of pregnant women or of women immediately after childbirth;
"impose imprisonment" means pass a sentence of imprisonment or commit to prison in default of payment of any sum of money or for failing to do or to abstain from doing anything required to be done or left undone;
"in need of care, protection or control" has the meaning assigned to it by Article 27 of this Law;
"the Juvenile Court" means the court constituted by virtue of Article 38 of and the Second Schedule to this Law;
"legal guardian" in relation to a child, means the person appointed, according to law, to be his guardian;
"the Magistrate" has the same meaning as in the Police Court (Miscellaneous Provisions) (Jersey) Law, 1949;[1]
"mental home" means any institution for persons of unsound mind administered by the States or any premises licensed under the "Loi (1883) pour la protection des aliénés";[2]
"nursing home" has the same meaning as in the Nursing Homes (Registration) (Jersey) Law, 1950;[3]
"parental rights order" has the meaning assigned to it by Article 83 of this Law;
"place of safety" means any children's home, police station, hospital or other suitable place, the occupier of which is willing temporarily to receive a child;
"prescribed" means prescribed by order made by the Committee;
"the prison" has the same meaning as in the Prison (Jersey) Law, 1957;[4]
"the Probation Law" means the "Loi (1937) sur l'atténuation des peines et sur la mise en liberté surveillée";[5]
"probation officer" means a "délégué" appointed under Article 7 of the Probation Law;[6]
"probation order" means an order, made under the Probation Law, for the provisional release of an offender under the supervision of a probation officer;
"registered medical practitioner" has the same meaning as in the Medical Practitioners (Registration) (Jersey) Law, 1960;[7]
"relative" has the same meaning as in the Adoption (Jersey) Law, 1961;[8]
"remand centre" means a remand centre provided under Article 2 of this Law;
"school" means any institution for providing full-time education for children of compulsory school age;

"the statutory restrictions on the imprisonment of young offenders" means the restrictions specified in Article 15 and Article 18 of this Law;
"supervision order" has the meaning assigned to it by sub-paragraph (*d*) of paragraph (1) of Article 28 of this Law;
"the upper limit of the compulsory school age" means the age which is for the time being that limit by virtue of Article 20 of the "Loi (1912) sur l'Instruction Primaire";[9]
"voluntary home" has the meaning assigned to it by Article 77 of this Law.

(2) References in this Law to any other enactment shall be construed as references thereto as amended and as including references thereto as extended or applied by or under any subsequent enactment or to any enactment repealing and re-enacting that other enactment with or without modification.

(3) Any reference in this Law to a finding of guilty or a finding that an offence has been committed shall be construed as including a reference to a plea of guilty or an admission that an offence has been committed.

(4) Any reference in this Law to a previous sentence of borstal training shall be construed as including a reference to a previous sentence of detention in a borstal institution; and any such reference to a previous conviction or sentence shall be construed as a reference to a previous conviction by a court in any part of the British Islands and to a previous sentence passed by any such court.

ARTICLE 2
PROVISION OF REMAND CENTRES

(1) It shall be the duty of the Committee to provide or arrange for the provision of remand centres, and the Committee may, subject to the provisions of this Article, make arrangements with other bodies or persons for the provision of such centres.

(2) The Committee shall not make any such arrangements as aforesaid with any other body or person unless the Committee is satisfied that –

(*a*) the premises are in all respects suitable for the purposes of a remand centre; and

(*b*) the person who will ordinarily have charge of or control over those premises is a fit and proper person to have the custody and care of children and other persons.

(3) The Committee may by order make provision for the inspection, regulation and management of remand centres and for the classification, treatment, employment, discipline and control of children detained in custody therein, and for the visiting of such children from time to time by persons appointed in accordance with the order.

PART II

EMPLOYMENT

General provisions as to employment

ARTICLE 3
POWER TO MAKE ORDERS REGARDING EMPLOYMENT OF CHILDREN

(1) The Committee may make orders with respect generally to the employment of children under the age of sixteen years, and any such order may distinguish between children of different ages and sexes and between different trades, occupations and circumstances.

(2) If it appears to the Committee that any child under the age of sixteen years is being employed in such a manner as to be prejudicial to his health or otherwise to render him unfit to obtain the full benefit of any education provided for him, the Committee may give notice in writing to the employer prohibiting him from employing the child or imposing restrictions on the employment of the child as appear to the Committee to be expedient in the interests of the child.

(3) The Committee may, by notice in writing served on the parent or employer of any child under the age of sixteen years, require the parent or employer to provide the Committee, within such period as may be specified in the notice, with such information as appears to the Committee to be necessary for the purpose of enabling it to ascertain whether the child is being employed in such a manner as to render him unfit to obtain the full benefit of the education provided for him.

(4) Any employer aggrieved by a notice served on him under paragraph (2) of this Article may, within fifteen days from the giving of the said notice, appeal to the Royal Court on the ground that the decision is unreasonable having regard to all the circumstances of the case and the requirements of the notice shall not be effective until the expiration of such period as aforesaid or, where such an appeal is brought, before the determination of the appeal.

(5) For the purposes of this Part of this Law and of any order made thereunder, a person who assists in a trade or occupation carried on for profit shall be deemed to be employed notwithstanding that he receives no reward for his labour.

(6) In this Part of this Law, "employment" includes employed as a hawker within the meaning of the Hawkers and Non-Resident Traders (Jersey) Law, 1965.[10]

ARTICLE 4
PENALTIES AND LEGAL PROCEEDINGS IN RESPECT OF GENERAL PROVISIONS AS TO EMPLOYMENT

(1) If a person is employed in contravention of any of the foregoing provisions of this Part of this Law, or of the provisions of any order made thereunder, the employer and any person (other than the person employed) to whose act or default the contravention is attributable shall be liable to a fine not exceeding fifty pounds or, in the case of a second or subsequent offence, to a fine not exceeding one hundred pounds :

Provided that, if proceedings are brought against the employer, the employer, on information duly laid by him and on giving to the prosecution not less than three days' notice of his intention, shall be entitled to have any person (other than the person employed) to whose act or default he alleges that the contravention was due, brought before the court as a party to the proceedings, and if, after the contravention has been proved, the employer proves to the satisfaction of the court that the contravention was due to the act or default of the said other person that person may be convicted of the offence ; and if the employer further proves to the satisfaction of the court that he has used all due diligence to secure that the provisions in question should be complied with, he shall be acquitted of the offence.

(2) Where an employer seeks to avail himself of the proviso to paragraph (1) of this Article –

(a) the prosecution shall have the right to cross-examine him, if he gives evidence, and any witness called by him in support of his charge against the other person, and to call rebutting evidence ; and

(b) the court may make such order as it thinks fit for the payment of costs by any party to the proceedings to any other party thereto.

(3) If any person fails to comply with the requirements of a notice served on him under paragraph (3) of Article 3 of this Law, he shall be liable to a fine not exceeding twenty pounds.

Performances

ARTICLE 5
RESTRICTION ON CHILDREN UNDER SIXTEEN TAKING PART IN PUBLIC PERFORMANCES ETC

(1) Subject to the provisions of this Article, a child under the age of sixteen years shall not take part in a performance to which this Article applies except under the authority of a licence granted by the Committee.

(2) This Article applies to –

(a) any performance in connexion with which a charge is made (whether for admission or otherwise) ;

(b) any performance in licensed premises within the meaning of the Licensing (Jersey) Law, 1950 ;[11]

(c) any broadcast or television performance ;

(d) any performance recorded (by whatever means) with a view to its use in a broadcast or in a film intended for public exhibition ;

and a child shall be treated for the purposes of this Article as taking part in a performance if he takes the place of a performer in any rehearsal or in any preparation for the recording of the performance.

(3) A licence under this Article shall not be required for any child to take part in a performance to which this Article applies if –

(a) in the six months preceding the performance he has not taken part in other performances to which this Article applies on more than three days ; or

(b) the performance is given under arrangements made by a school or by a body of persons approved for the purposes of this Article by the Committee, and no payment in respect of the child's taking part in the performance is made, whether to him or to any other person, except for defraying expenses ;

but the Committee may by order prescribe conditions to be observed with respect to the age, hours of work, rest or meals of children taking part in performances as mentioned in sub-paragraph *(a)* of this paragraph.

(4) The Committee shall not grant a licence for a child to take part in a performance or series of performances unless it is satisfied that he is fit to do so, that proper provision has been made to secure his health and kind treatment and that, having regard to such provision (if any) as has been or will be made therefor, his education will not suffer ; but if it is so satisfied, in the case of an application duly made for a licence under this Article which it has power to grant, it shall not refuse to grant the licence.

ARTICLE 6
SUPPLEMENTARY PROVISIONS AS TO LICENCES UNDER ARTICLE 5

(1) The Committee may vary a licence under Article 5 of this Law on the application of the holder of the licence.

(2) The Committee may vary or revoke the licence if any condition subject to which it was granted is not observed or if it is not satisfied as to the matters mentioned in paragraph (4) of the said Article 5, but shall, before doing so, give to the holder of the licence such notice (if any) of its intention as may be practicable in the circumstances.

(3) The holder of such a licence shall keep such records as the Committee may by order prescribe and shall on request produce them to an officer of the Committee at any time not later than six months after the performance or last performance to which it relates.

(4) Where the Committee refuses an application for a licence under Article 5 o this Law or revokes or, otherwise than on the application of the holder, varies such a licence it shall state its grounds for doing so in writing to the applicant or, as the case may be, the holder of the licence ; and the applicant or holder may appeal to the Royal Court, against the refusal, revocation or variation, and against any condition subject to which the licence is granted or any approval is given (not being a condition which the Committee is required to impose) on the ground that the refusal, revocation or variation, or the imposition of the condition, as the case may be, is unreasonable having regard to all the circusmtances of the case.

ARTICLE 7
OFFENCES

(1) If any person –

(a) causes or procures any child under the age of sixteen years or, being his parent or guardian, allows him, to take part in any performance in contravention of Article 5 of this Law ; or

(b) fails to observe any condition subject to which a licence under that Article is granted, or any condition prescribed under paragraph (3) of that Article ; or

(c) knowingly or recklessly makes any false statement in or in connexion with an application for a licence under that Article ;

he shall be liable to a fine not exceeding one hundred pounds or in the case of a second or subsequent offence to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

(2) If any person fails to keep or produce any record which he is required to keep or produce under Article 6 of this Law, he shall be liable to a fine not exceeding fifty pounds or in the case of a second or subsequent offence to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

(3) The court by which the holder or one of the holders of a licence under Article 5 of this Law is convicted of an offence under this Article may revoke the licence.

(4) In any proceedings for an offence under this Article alleged to have been committed by causing, procuring or allowing a child under the age of sixteen years to take part in a performance without a licence under Article 5 of this Law, it shall be a defence to prove that the accused believed that the condition specified in sub-paragraph

(a) of paragraph (3) of that Article was satisfied and that he had reasonable grounds for that belief.

ARTICLE 8
POWER OF ENTRY

(1) Subject to the provisions of paragraph (2) of this Article, if it appears to the Bailiff on information on oath that there is reasonable cause to believe that the provisions of this Part of this Law, or of any order made thereunder, are being contravened with respect to any person, the Bailiff may issue a warrant authorising any police officer or officer of the Committee named therein to enter any place in connexion with which the person in question is, or is believed to be, employed, or as the case may be, in which he is, or is believed to be, taking part in a performance and to make enquiries therein with respect to that person.

(2) The police officer or officer of the Committee named in a warrant issued under paragraph (1) of this Article, shall immediately inform the Constable or a Centenier of the parish in which the place is situated of the details of the warrant.

(3) A police officer or officer of the Committee may at any time during the currency of a licence granted under Article 5 of this Law enter any place where the person to whom the licence relates is authorised by the licence to take part in a performance, and make enquiries therein with respect to that person.

PART III

CHILDREN EXPOSED TO PHYSICAL AND MORAL DANGER

ARTICLE 9
CRUELTY TO CHILDREN UNDER SIXTEEN

(1) If any person who has attained the age of sixteen years and has the custody, charge or care of any child under that age wilfully assults, ill-treats, neglects, abandons or exposes him, or causes or procures or permits him to be assaulted, ill-treated, neglected, abandoned or exposed, in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, limb, or organ of the body, and and mental derangement), he shall be liable to a fine not exceeding five hundred pounds or to imprisonment for a term not exceeding five years, or to both such fine and such imprisonment.

(2) A person may be convicted of an offence under this Article –

(a) notwithstanding that actual suffering or injury to health, or the likelihood of actual suffering or injury to health, was obviated by the action of another person ;

(b) notwithstanding the death of the child in question.

(3) If, on the trial of any person who has attained the age of sixteen years on a charge of infanticide or of manslaughter of a child under that age of whom he had the custody, charge or care, the court or the jury, as the case may be, is of the opinion that he was not guilty of the offence charged but was guilty of an offence under this Article, he may be found guilty of that offence and thereupon he shall be liable to be punished accordingly.

(4) If it is proved that a person convicted under this Article was directly or indirectly interested in any sum of money accruing or payable in the event of the death of the child, and had knowledge that that sum of money was accruing or becoming payable, then the maximum amount of the fine which may be imposed under this Article shall be one thousand pounds, and the court shall have the power, in lieu of awarding any other penalty under this Article, to sentence the person convicted to imprisonment for a term not exceeding five years ; and, for the purposes of this paragraph –

(a) a person shall be deemed to be directly or indirectly interested in a sum of money if he has any share in or any benefit from the payment of that money, notwithstanding that he may not be the person to whom it is legally payable ; and

(b) a copy of a policy of insurance, certified to be a true copy by an officer or agent of the insurance company granting the policy, shall be evidence that the child therein stated to be insured has in fact been so insured, and that the person in whose favour the policy has been granted is the person to whom the money thereby insured is legally payable.

(5) Nothing in this Article shall be construed as affecting the right of any parent, teacher or other person having the lawful control or charge of a child to administer punishment to him.

(6) For the purposes of this Article –

(a) any person who is the parent or legal guardian of a child or who is legally liable to maintain him shall be presumed to have the custody of him, and as between father and mother the father shall not be deemed to have ceased to have the custody of him by reason only that he has deserted, or otherwise does not reside with, the mother and the child ;

(b) any person to whose charge a child is committed by any person who has the custody of him shall be presumed to have charge of the child ;

(c) any other person having actual possession or control of a child shall be presumed to have the care of him ;

(d) a parent or other person legally liable to maintain a child, or having actual possession or control of a child, shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided by the authority responsible for providing assistance to the child when in need ;

(e) where it is proved that the death of a child under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air passage of the child) while the infant was in bed with some other person who has attained the age of sixteen years, that other person shall, if he was, when he went to bed, under the influence of intoxicating liquor or drugs, be deemed to have neglected the infant in a manner likely to cause injury to its health.

ARTICLE 10
WARRANT TO SEARCH FOR OR REMOVE CHILD UNDER SEVENTEEN

(1) If it appears to the Bailiff on information on oath laid by any person who, in the opinion of the Bailiff, is acting in the interests of a child under the age of seventeen years, that there is reasonable cause to suspect –

(a) that the child has been or is being assaulted, ill-treated, or neglected in a manner likely to cause him unnecessary suffering, or injury to health ; or

(b) that any offence mentioned in the First Schedule to this Law has been or is being committed in respect of the child ;

the Bailiff may issue a warrant authorising any police officer or officer of the Committee named therein to search for the child, and, if it is found that he has been or is being assaulted, ill-treated or neglected in manner aforesaid, or that any such offence as aforesaid has been or is being committed in respect of him, to take him to a place of safety, or authorising any police officer or officer of the Committee named therein to remove him with or without search to a place of safety, and a child taken to a place of safety in pursuance of such a warrant may be detained there until he can be brought before a court.

(2) Subject to the provisions of paragraph (4) of this Article, any police officer or officer of the Committee authorised by warrant under this Article to search for any child, or to remove any child with or without search, may enter (if need be by force) any house, building or other place specified in the warrant, and may remove him therefrom.

(3) Every warrant issued under this Article shall be addressed to and executed by a police officer, or officer of the Committee, who shall be accompanied by the person laying the information, if that person so desires, unless the Bailiff otherwise directs, and may also, if the Bailiff so directs, be accompanied by a registered medical practitioner.

(4) The police officer or officer of the Committee named in a warrant issued under this Article shall immediately inform the Constable or a Centenier of the parish in which the house, building or place is situated of the details of the warrant.

(5) It shall not be necessary in any information or warrant under this Article to name the child.

PART IV

PROTECTION OF CHILDREN IN RELATION TO JUDICIAL PROCEEDINGS (OTHER THAN MATRIMONIAL PROCEEDINGS)

Juvenile offenders

ARTICLE 11
AGE OF CRIMINAL RESPONSIBILITY

It shall be conclusively presumed that no child under the age of ten years can be guilty of any offence.

ARTICLE 12
PUNISHMENT FOR OFFENCES INVOLVING SENTENCE OF DEATH

(1) Sentence of death shall not be pronounced on or recorded against a person convicted of an offence if it appears to the court that at the time when the offence was committed, he was under the age of eighteen years ; but in lieu thereof the court shall sentence him to be detained during Her Majesty's pleasure, and, if so sentenced, he shall be liable to be detained in such place and under such conditions as the Secretary of State may direct.

(2) The provisions of Article 25 of the " Loi (1864) réglant la procédure criminelle "[12] shall not apply in relation to the trial of a person to whom this Article applies.

ARTICLE 13
PUNISHMENT FOR SERIOUS OFFENCES

Where a child under the age of seventeen years is convicted of any offence punishable in the case of an adult with imprisonment for fourteen years or more, not being an offence the sentence for which is fixed by law, and the court is of opinion that none of the other methods in which the case may legally be dealt with is suitable, the court may sentence the offender to be detained for such period, not exceeding the maximum term of imprisonment with which the offender is punishable in the case of an adult, as may be specified in the sentence and, where such a sentence has been passed, the child so sentenced shall, during that period, be liable to be detained in such place and under such conditions as the Secretary of State may direct.

ARTICLE 14
PROVISIONS RELATING TO CHILDREN SENTENCED PURSUANT TO ARTICLE 12 OR 13

(1) A child sentenced to be detained pursuant to Article 12 or 13 of this Law shall, pending the issue of directions by the Secretary of State for his detention, be detained in such place and under such conditions as the court by which he is sentenced may direct.

(2) A child detained pursuant to a sentence under Article 12 or 13 of this Law or to a direction under paragraph (1) of this Article shall, while so detained, be deemed to be in legal custody.

(3) Where any child so detained as aforesaid is released by the Secretary of State on licence, then, if the licence is revoked, the child shall, if at large, be deemed to be unlawfully at large.

ARTICLE 15
RESTRICTION ON IMPRISONMENT

(1) No court shall impose imprisonment on a child under the age of fifteen years.

(2) No court shall impose imprisonment for a term exceeding six months on a child under the age of seventeen years.

ARTICLE 16
BORSTAL TRAINING

(1) Where a person is convicted by the Royal Court of an offence punishable with imprisonment, then, if on the day of his conviction he is not less than fifteen but under the age of twenty-one years, and the court is of opinion, having regard to the circumstances of the offence and after taking into account the offender's character and previous conduct, that it is expedient that he should be detained for training for not less than six months, the court may, in lieu of any other sentence, pass a sentence of borstal training:

Provided that such a sentence shall not be passed on a person who is under the age of seventeen years on the day of his conviction unless the court is of opinion that no other method of dealing with his case is appropriate.

(2) Where a person is convicted by the Police Court or the Juvenile Court of an offence punishable with imprisonment, then, if on the day of his conviction he is not less than fifteen but under the age of twenty-one years, and a sentence of borstal training is available in his case as aforesaid, the court may commit him in custody to the Inferior Number of the Royal Court for sentence in accordance with the following provisions of this Article.

(3) Where an offender is so committed for sentence as aforesaid, the following provisions shall have effect, that is to say –

(*a*) the Inferior Number of the Royal Court shall enquire into the circumstances of the case and may –

(i) if a sentence of borstal training is appropriate in his case as aforesaid, sentence him to borstal training; or

(ii) in any case, deal with him in any manner in which the Police Court or the Juvenile Court might have dealt with him;

(*b*) if the Inferior Number of the Royal Court passes a sentence of borstal training, the offender shall have the same right of appeal as he would have had, had he been convicted by that court.

(4) Before passing a sentence of borstal training in the case of an offender of any age the court shall consider any report made in respect of him by or on behalf of the Prison Board, and the court shall cause a copy of the report to be given to the offender or his advocate or solicitor.

ARTICLE 17
RETURN TO BORSTAL INSTITUTION ON RE-CONVICTION

(1) Where a person sentenced to borstal training –

(*a*) being under supervision after his release from a borstal institution; or

(*b*) having become unlawfully at large from a borstal institution and not having returned or been returned thereto;

is convicted of an offence for which the court has power, or would have power but for the statutory restrictions on the imprisonment of young offenders, to pass sentence of imprisonment, the court may, instead of dealing with him in any other manner, order that he be returned to a borstal institution.

(2) A person ordered under this Article to be returned to a borstal institution shall be liable to be detained for the like period, and if under supervision shall be treated for all other purposes, as if he had been recalled to a borstal institution in pursuance of section forty-five of the Prison Act, 1952 (15 & 16 Geo. 6 and 1 Eliz. 2. c. 52) and had been taken into custody in pursuance of that order on the date of the order under this Article.

(3) Before making an order under this Article in respect of an offender, the court shall consider any report made by or on behalf of the Prison Board on his response to the training already undergone by him, and the court shall cause a copy of the report to be given to the offender or his advocate or solicitor.

(4) References in this Article to a person under supervision after his release from a borstal institution do not include a person who, being under supervision as aforesaid, is for the time being deemed by virtue of section forty-five of the Prison Act, 1952, to be unlawfully at large.

ARTICLE 18
ELIMINATION OF INTERMEDIATE AND SHORT PRISON SENTENCES

(1) Without prejudice to any provision of this Law or of any other enactment prohibiting or restricting the imposition of imprisonment on persons of any age, a sentence of imprisonment shall not be passed by any court on a person within the limits of age which qualify for a sentence of borstal training except –

(*a*) for a term not exceeding six months; or

(*b*) (where the court has power to pass such a sentence) for a term of not less than three years.

(2) Paragraph (1) of this Article shall not apply in the case of a person who is serving a sentence of imprisonment at the time when the court passes sentence; and for the purpose of this paragraph a person sentenced to imprisonment who has been recalled or returned to prison after being released subject to supervision or on licence, and has not been released again or discharged, shall be treated as serving the sentence.

(3) In relation to a person who has served a previous sentence of imprisonment for a term of not less than six months, or a previous sentence of borstal training, paragraph (1) of this Article shall have effect as if for the reference to three years there were substituted a reference to eighteen months; and for the purpose of this paragraph a person sentenced to borstal training shall be treated as having served the sentence if he has been released subject to supervision, whether or not he has subsequently been recalled or returned to a borstal institution.

(4) The States may by Act direct that sub-paragraph (*a*) of paragraph (1) of this Article shall be suspended, either generally or so far as it relates to persons, or male or female persons, of any age described in the Act:

Provided that an Act shall not be made under this paragraph unless the States are satisfied that sufficient accommodation is available in detention centres for the numbers of persons for whom such accommodation is likely to be required in consequence of the Act.

ARTICLE 19
DETENTION OF OFFENDERS AGED FOURTEEN TO TWENTY

(1) In any case where a court has power, or would have power but for the statutory restrictions on the imprisonment of young offenders, to pass sentence of imprisonment on an offender not less than fourteen but under the age of twenty-one years, the court may, subject to the provisions of this Article, order him to be detained in a detention centre.

(2) An order for the detention of an offender under this Article may be made for the following term, that is to say –

(*a*) where the offender has attained the age of seventeen years or is convicted before the Royal Court, and the maximum term of imprisonment for which a court could pass sentence in his case exceeds three months, any term of not less than three nor more than six months;

(*b*) in any other case, a term of three months.

(3) An order under this Article shall not be made in respect of any person unless the court has been notified by the Secretary of State that a detention centre is available for the reception of persons of his class or description, or an Act under paragraph (4) of Article 18 of this Law is in force in respect of persons of his age and sex.

(4) An order under this Article shall not be made in respect of a person who is serving or has served a sentence of imprisonment for a term of not less than six months or a sentence of borstal training unless it appears to the court that there are special circumstances (whether relating to the offence or to the offender) which warrant the making of such an order in his case; and before making such an order in respect of such an offender the court shall consider any report made in respect of him by or on behalf of the Prison Board and the court shall cause a copy of the report to be given to the offender or his advocate or solicitor.

ARTICLE 20
DETENTION OF DEFAULTERS AGED FOURTEEN TO SIXTEEN

(1) In any case where a court has power, or would have power but for the statutory restrictions on the imprisonment of young offenders, to commit to prison for any default a person not less than fourteen but under the age of seventeen years, the court may, subject to the provisions of this Article, commit him to a detention centre, for any term not exceeding the term for which he could but for any such restriction have been committed to prison.

(2) Except as provided by Articles 21 and 22 of this Law, a person shall not be committed under this Article to a detention centre for any term exceeding six months.

(3) Paragraph (3) of Article 19 of this Law shall apply in relation to the committal of any person to a detention centre under this Article as it applies in relation to the making of an order for the detention of an offender under that Article.

(4) This Article applies in relation to the fixing of a term of imprisonment to be served in the event of default of payment of a fine or other sum of money as it applies in relation to committal to prison in default of such payment; and in any such case paragraph (2) of this Article shall apply in relation to the term fixed by the court, and not to that term as reduced by virtue of any subsequent payment.

(5) Subject to the foregoing provisions of this Article, Articles 4 and 5 of the Criminal Justice (Jersey) Law, 1957,[13] shall have effect as if references to imprisonment included references to detention under this Article; and references in those Articles to the prison or to the governor of the prison shall be construed accordingly.

ARTICLE 21
DEFAULTERS ALREADY DETAINED IN DETENTION CENTRES

(1) Article 20 of this Law (so far as it relates to detention centres) shall apply in relation to any person who has attained the age of seventeen years and who, at the material time, is detained in a detention centre under a previous sentence, as it applies in relation to a person under that age.

(2) In relation to a person of any age who is detained as aforesaid, Article 20 of this Law shall have effect as if paragraph (3) thereof were omitted.

(3) Where, after an order has been made by a court –

(*a*) committing a person to prison for any default; or

(*b*) fixing a term of imprisonment to be served by him in the event of any default;

it is made to appear to the Bailiff that that person is for the time being detained in a detention centre, the Bailiff may amend the order by substituting that centre for the

prison named therein and, where the prison is so named and the term of imprisonment specified in the order exceeds six months, by reducing that term to six months.

ARTICLE 22
CONSECUTIVE TERMS AND AGGREGATE PERIODS OF DETENTION

(1) Subject to the provisions of this Article, any court which makes an order for the detention of any person in a detention centre may direct that the term of detention under the order shall commence on the expiration of any other term for which that person is liable to be detained in a detention centre by virtue of an order made by that or any other court.

(2) A direction shall not be given under paragraph (1) of this Article in connexion with the making of an order under Article 19 of this Law where the offender is under the age of seventeen years.

(3) Where a direction under paragraph (1) of this Article is given in connexion with the making of an order under Article 19 of this Law, the term of detention specified in that order may, if the court thinks fit, be a term of less than three months; and where a direction under that paragraph is given in connexion with the making of an order under Article 20 of this Law in respect of a person under the age of seventeen years, the term of detention specified in that order may, if the court thinks fit, be a term of less than one month.

(4) The aggregate of the terms for which a person may be ordered to be detained in a detention centre by virtue of any two or more orders made by the same court on the same occasion shall not in any case exceed six months.

(5) Without prejudice to paragraph (4) of this Article, the total term for which a person may be detained in a detention centre shall not exceed nine months at a time; and accordingly so much of any term for which a person is ordered to be so detained as, together with any other term on which it is wholly or partly consecutive, exceeds nine months shall be treated as remitted.

ARTICLE 23
ATTENDANCE AT AN ATTENDANCE CENTRE

(1) Where a court has power, or would but for Article 15 of this Law have power, to impose imprisonment on a person who is under the age of twenty-one years, or to deal with any such person under Article 5 of the Probation Law[14] for failure to comply with any of the requirements of a probation order, the court may, if it has been notified by the Prison Board that an attendance centre is available for the reception from that court of persons of his class or description, order him to attend at such a centre, to be specified in the order, for such number of hours as may be so specified:

Provided that no such order shall be made in the case of a person who has been previously sentenced to imprisonment, borstal training or detention in a detention centre, or has been ordered to be sent to an approved school.

(2) The aggregate number of hours for which a person may be required to attend at an attendance centre by virtue of an order under this Article shall not exceed twenty-four and shall not be less than twelve except where he is under the age of fourteen years and the court is of the opinion, having regard to his age or any other circumstances, that twelve hours would be excessive.

(3) The times at which an offender is required to attend at an attendance centre by virtue of an order made under this Article shall be such as to avoid interference, so far as practicable, with his school hours or working hours and the first such time shall be specified in the order (being a time at which the centre is available for the attendance of the offender in accordance with the notification of the Prison Board) and the subsequent times shall be fixed by the person in charge of the centre, having regard to the offender's circumstances:

Provided that an offender shall not be required under this Article to attend at an attendance centre on more than one occasion on any day, or for more than two hours on any occasion.

(4) The court by which an order has been made under paragraph (1) of this Article may, on the application of the offender or of the person in charge of the attendance centre specified in the order –

(*a*) by order discharge the order; or

(*b*) by order vary the day or hour specified therein for the offender's first attendance at the centre;

and where the application is made by the said person, the court may deal with it in the absence of the offender.

(5) Where an order is made under paragraph (1) or (4) of this Article, the Judicial Greffier shall give a copy of the order to the person in charge of the attendance centre specified therein, and shall also give a copy to the offender.

(6) Where a person has been ordered to attend at an attendance centre in default of the payment of any sum of money, then –

(*a*) on payment of the whole sum to any person authorised to receive it, the order shall cease to have effect;

(*b*) on the payment of a part of the said sum as aforesaid, the total number of hours for which the offender is required to attend at the centre shall be reduced by a number of complete hours bearing as nearly as possible the same proportion to the said total number of hours as the part paid bears to the said sum.

(7) Where an order under paragraph (1) of this Article has been made and it appears on information to the Bailiff or to the Magistrate, as the case may be, that the person in whose case the order was made –

(*a*) has failed without reasonable excuse to attend at the centre in accordance with the order; or

(*b*) while attending at the centre has committed a breach of the rules under the Prison (Jersey) Law, 1957,[15] which cannot be adequately dealt with under those rules;

the Bailiff or the Magistrate may require that the offender be presented before the court by which the order was made or may, if the information is in writing and on oath, order his arrest with a view to his presentation before that court.

(8) If it is proved to the satisfaction of the court that the offender has failed to attend as aforesaid, or has committed such a breach of rules as aforesaid, the court may revoke the order requiring his attendance at the attendance centre and deal with him in any manner in which he could have been dealt with by the court if the order had not been made.

ARTICLE 24

POWER TO SEND CHILD OFFENDERS TO APPROVED SCHOOLS OR TO COMMIT THEM TO FIT PERSONS

(1) Where the Royal Court has power, or would but for Article 15 of this Law have power, to pass a sentence of imprisonment on a child under the age of seventeen years, the court shall, in addition to any other powers exercisable by virtue of this or any other Law, have power –

(*a*) to order him to be sent to an approved school;

(*b*) to commit him to the care of a fit person, whether a relative or not, who is willing to undertake the care of him.

(2) Where an order is made under this Article committing a child under the age of seventeen years to the care of a fit person, a probation order may also be made in respect of him.

ARTICLE 25
POWER TO ORDER PARENT OR GUARDIAN TO PAY FINE ETC

(1) Where a child under the age of seventeen years is charged with any offence for the commission of which a fine, damages or costs may be imposed, if the court is of opinion that the case would be best met by the imposition of a fine, damages or costs, whether with or without any other punishment, the court may in any case, and shall if the offender is under the age of fourteen years, order that the fine, damages or costs awarded be paid by the parent or guardian of the offender instead of by the offender, unless the court is satisfied that the parent or guardian cannot be found or that he has not conduced to the commission of the offence by neglecting to exercise due care of the offender.

(2) In the case of a child under the age of seventeen years charged with any offence, the court may order his parent or guardian to give security for his good behaviour.

(3) An order under this Article may be made against a parent or guardian who, having been required to attend, has failed to do so, but, save as aforesaid, no such order shall be made without giving the parent or guardian an opportunity of being heard.

(4) Any sums ordered to be paid by a parent or guardian, either under this Article, or on forfeiture of any such security as aforesaid, may be recovered from him and shall be disposed of, in like manner as if the order had been made on the conviction of the parent or guardian of the offence with which the offender was charged.

(5) A parent or guardian may appeal against an order under this Article in like manner as if he had been convicted of the offence with which the offender was charged.

ARTICLE 26
REMAND OF CHILDREN TO REMAND CENTRES

A child under the age of seventeen years who may lawfully be remanded in custody may be so remanded to any remand centre in the Island.

Children in need of care, protection or control

ARTICLE 27
MEANING OF "IN NEED OF CARE, PROTECTION OR CONTROL"

(1) A child is in need of care, protection or control within the meaning of this Law if he is under the age of seventeen years and –

(*a*) any of the conditions mentioned in paragraph (2) of this Article is satisfied with respect to him, and he is not receiving such care, protection and guidance as a good parent may reasonably be expected to give; or

(*b*) he is beyond the control of his parent or guardian.

(2) The conditions referred to in sub-paragraph (*a*) of paragraph (1) of this Article are that –

(*a*) he is falling into bad associations or is exposed to moral danger; or

(*b*) the lack of care, protection or guidance is likely to cause him unnecessary suffering or seriously to affect his health or proper development; or

(*c*) any of the offences mentioned in the First Schedule to this Law has been committed in respect of him or in respect of a child who is a member of the same household; or

(*d*) he is a member of the same household as a person who has been convicted of such an offence in respect of a child; or

(*e*) the child is a female member of a household a member of which has committed or attempted to commit the crime of incest.

(3) For the purpose of this Article, the fact that a child is found destitute, or is found wandering without any settled place of abode and without visible means of subsistence, or is found begging or receiving alms (whether or not there is any pretence of singing, playing, performing or offering anything for sale), or is found loitering for the purpose of so begging or receiving alms, shall without prejudice to the generality of the provisions of sub-paragraph (*a*) of paragraph (2) of this Article, be evidence that he is exposed to moral danger.

ARTICLE 28
POWER OF ROYAL COURT IN RESPECT OF CHILDREN IN NEED OF CARE, PROTECTION OR CONTROL

(1) If the Royal Court is satisfied that any person brought before the court under this Article is a child in need of care, protection or control, the court may either –

(*a*) order him to be sent to an approved school; or

(*b*) commit him to the care of any fit person, whether a relative or not, who is willing to undertake the care of him; or

(*c*) order his parent or guardian to give an undertaking that he will exercise proper care and guardianship and to give such security in such amount as the court may determine for the carrying out of the undertaking; or

(*d*) without making any other order, or in addition to making an order under either sub-paragraph (*b*) or (*c*) of this paragraph, make an order, to be known as a "supervision order", placing him for a specified period, not exceeding three years, under the supervision of a probation officer or an officer of the Committee.

(2) The Attorney General may bring before the Royal Court any child who, in his opinion, is in need of care, protection or control; and it shall be the duty of a Constable to report to the Attorney General the case of any child who appears to the Constable to be in need of care, protection or control.

(3) In the event of the breach of an undertaking given in pursuance of an order made under sub-paragraph (*c*) of paragraph (1) of this Article, the Royal Court may order that any security given or found in connexion with the undertaking, or some part thereof, shall be forfeited to Her Majesty.

(4) If the Royal Court, at the time that any person is brought before the court under this Article or under Article 29 of this Law, is not in a position to decide whether any and, if so, which order ought to be made, the court may make such interim order as it thinks fit for his detention or continued detention in a place of safety, or for his committal to the care of a fit person, whether a relative or not, who is willing to undertake the care of him.

(5) An interim order under paragraph (4) of this Article shall not remain in force for more than twenty-eight days, but if at the expiration of that period the court deems it expedient to do so, it may make a further interim order.

Ancillary provisions

ARTICLE 29
SUPERVISION BY PROBATION OFFICERS OR OFFICERS OF THE COMMITTEE

(1) The probation officer or officer of the Committee under whose supervision a child is placed by a supervision order shall, while the order remains in force, visit, advise and befriend him and, when necessary, endeavour to find him suitable employment, and, if it appears necessary in his interest so to do at any time while the order remains in force and he is under the age of eighteen years, the Attorney General, on the request of that officer, may bring him before the Royal Court, and the court may, if it thinks that it is desirable in his interests so to do –

(*a*) order him to be sent to an approved school; or

(*b*) commit him to the care of a fit person, whether a relative or not, who is willing to undertake the care of him; or

(*c*) order his parent or guardian to enter into a recognizance to exercise proper care and guardianship;

and in any case where the court exercises its powers under either sub-paragraph ((*a*) or (*b*) of this paragraph, the court may revoke the supervision order.

(2) Where the officer under whose supervision a child is placed has died or is unable for any reason to carry out his duties, or where it is made to appear that it is for any reason desirable that another person should be appointed in the place of that officer, the Royal Court may appoint another probation officer or officer of the Committee to act in his place.

ARTICLE 30
PROVISIONS AS TO ORDERS OF COMMITTAL TO FIT PERSONS

(1) Before making an order under this Law committing a child to the care of a fit person, the Royal Court shall endeavour to ascertain the religious persuasion of the child and, in selecting the person to whose care the child is to be committed, the court shall if possible select a person who is of the same religious persuasion as the child or who gives an undertaking that he will be brought up in accordance with that religious persuasion.

(2) Every order committing a child to the care of a fit person shall contain a declaration as to the age and as to the religious persuasion of the child with respect to whom it is made.

(3) Every order committing a child to the care of a fit person shall, subject to the provisions of this Law, remain in force until he attains the age of twenty years.

(4) The person to whose care a child is committed by any such order as aforesaid shall, while the order is in force, have the same rights and powers and be subject to the same liabilities in respect of his maintenance as if he were his parent, and the person so committed shall continue in his care notwithstanding any claim by a parent or any other person.

(5) The Committee may make rules as to the manner in which children committed to the care of fit persons (other than the Committee) are to be dealt with and as to the duties of such persons.

(6) The Royal Court may at any time in its discretion discharge a child from the care of the person to whose care he has been committed, and any such discharge may be granted either absolutely or subject to conditions.

(7) The Royal Court may, on the application of the Attorney General, vary or revoke any order committing a child to the care of a fit person.

(8) Where the parent or guardian or any near relative of a child committed by any such order as aforesaid represents to the Attorney General that the child is not being brought up in accordance with his religious persuasion, the Attorney General may bring him before the Royal Court and the court shall, unless a satisfactory undertaking is offered by the person to whose care he has been committed, either revoke the order or vary it in such manner as the court thinks best calculated to secure that he is thenceforth brought up in accordance with that persuasion.

(9) Where the Committee represents to the Attorney General that, in its opinion it is desirable to do so in the interests of any child who has been committed to the care of a fit person, the Attorney General may apply to the Royal Court and the court may, if it thinks it desirable in the interests of the child so to do, revoke the order committing him to the care of a fit person, and, where it revokes that order –

(*a*) commit him to the care of another fit person, whether a relative or not, who is willing to undertake the care of him; or

(*b*) order him, if he is under the age of eighteen years, to be sent to an approved school; or

(*c*) order his parent or guardian to enter into a recognizance to exercise proper care and guardianship; or

(*d*) without making any other order or any addition to an order under sub-paragraph (*a*) or (*c*) of this paragraph, make an order placing him for a specified period, not exceeding three years, under the supervision of a probation officer, or of some other person appointed for the purpose by the Court.

ARTICLE 31
COMMITTAL TO COMMITTEE AS "FIT PERSON"

(1) The Committee shall, for the purposes of the provisions of this Law relating to the making of orders committing a child to the care of a fit person, be deemed to be a fit person willing to undertake the care of him, and accordingly orders may be made committing children to the care of the Committee, and the Committee shall undertake the care of children so committed:

Provided that where a probation order or supervision order is in force as respects a child, or the court proposes to make such an order at the same time as an order for committal to the care of the Committee, the last-mentioned order shall not be made unless the Committee consents to the making thereof.

(2) Before making an order under paragraph (1) of this Article in any case where the consent of the Committee is not required, the court shall, unless so to do would in the opinion of the court cause undue delay, permit the Committee to make representations to the court as to the making of the order and shall, before making the order, consider any representations so made.

(3) While an order made by virtue of paragraph (1) of this Article is in force with respect to a child, all rights and powers of the parent or guardian shall, in respect of the child, be vested in the Committee subject to such conditions and exceptions as may be mentioned in the order.

ARTICLE 32
RETURN TO FAMILY OF PERSONS COMMITTED TO CARE OF COMMITTEE

(1) Where any child has by an order of the Royal Court under this Law been committed to the care of the Committee as a fit person, then, if it appears to the Committee that it will or may be for the benefit of the child so to do, the Committee may, notwithstanding anything in this Law or in the order, but without prejudice to the powers of the Committee in relation to the child by virtue of the order, allow, until the Committee otherwise determines, the child to be under the charge and control of a parent, guardian, relative or friend of the child.

(2) If, at any time while a child who has been committed by such an order as aforesaid to the care of the Committee is allowed by the Committee to be under the control of a parent, guardian, relative or friend of the child, it appears to the Committee that the order is no longer necessary and might properly be revoked, the Committee shall make an application accordingly to the Royal Court.

(3) In respect of any period during which, under the provisions of paragraph (1) of this Article, a child who has been committed as aforesaid to the care of the Committee is allowed by the Committee to be under the control of a parent, guardian, relative or friend of the child –

(*a*) no contributions shall be payable under any contribution order made in respect of the child under Article 94 of this Law; and

(*b*) paragraph (2) of Article 14 of the Family Allowances (Jersey) Law, 1951[16] (which provides that a person who is a child within the meaning of that Law shall not, for the purposes of that Law, be treated as included in any family as respects any period during which there is in force an order committing that person as aforesaid) shall not have effect in relation to the child.

(4) If –

(*a*) a child committed as aforesaid to the care of the Committee has been allowed by the Committee under the provisions of paragraph (1) of this Article to be under the charge and control of a parent, guardian, relative or friend of the child; and

(*b*) the Committee at any time determines under the said paragraph (1) that the child shall no longer be allowed to remain under that charge and control; and

(*c*) any instructions of the Committee with respect to the return of the child to its care are not complied with;

then for the purposes of Article 100 of this Law, the child shall be deemed to have run away from the Committee.

ARTICLE 33
PROVISIONS AS TO CUSTODY OF CHILDREN IN REMAND CENTRES

(1) The order or judgment in pursuance of which a child is committed to custody in a remand centre shall be delivered with the child to the person in charge of the centre and shall be a sufficient authority for his detention in the centre in accordance with the terms thereof.

(2) A child while so detained and while being conveyed to and from a remand centre shall be deemed to be in legal custody.

ARTICLE 34
PROVISIONS AS TO APPROVED SCHOOL ORDERS

(1) The Royal Court shall not order a child under the age of ten years to be sent to an approved school unless for any reason, including the want of a fit person of his religious persuasion who is willing to undertake the care of him, the court is satisfied that he cannot suitably be dealt with otherwise.

(2) The Royal Court, before making an approved school order with respect to any child, shall endeavour to ascertain his religious persuasion.

(3) Every approved school order shall contain a declaration as to the age and as to the religious persuasion of the child with respect to whom it is made.

ARTICLE 35
TRANSFER OF CHILDREN TO APPROVED SCHOOLS AND DETENTION CENTRES AND REMOVAL TO PLACE OF SAFETY

(1) A child shall not be transfered to an approved school in pursuance of an approved school order or to a detention centre in pursuance of a detention centre order except with the authority of the Secretary of State and, in the meantime, he shall be detained in such place or in the custody of such person as the court by which the order is made may think fit, regard being had to the welfare of the child, and, while so detained, he shall be deemed to be in legal custody.

(2) Any expenses incurred in transferring a child to or from an approved school and in maintaining him there shall be at the charge of the Committee.

(3) A police officer may take to a place of safety any child in respect of whom any of the offences mentioned in the First Schedule to this Law has been or is believed to have been committed or who is about to be brought before a court in pursuance of any of the provisions of this Law and a child so taken to a place of safety and any child who has taken refuge in a place of safety may be detained there until he can be brought before a court and a parent or guardian of a child so taken shall be notified as soon as may be practicable.

Special procedure with regard to offences specified in First Schedule

ARTICLE 36
POWER TO PROCEED WITH CASE IN ABSENCE OF CHILD UNDER SEVENTEEN

Where in any proceedings with relation to any of the offences mentioned in the First Schedule to this Law, the court is satisfied that the attendance before the court of any child under the age of seventeen years in respect of whom the offence is alleged to have been committed is not essential to the just hearing of the case, the case may be proceeded with and determined in the absence of the child.

ARTICLE 37
EXTENSION OF POWER TO TAKE DEPOSITION OF CHILD UNDER SEVENTEEN

Where the Bailiff is satisfied by the evidence of a registered medical practitioner that the attendance before the court of any child under the age of seventeen years in respect of whom any of the offences mentioned in the First Schedule to this Law is alleged to have been committed would involve serious danger to his life or health, he may direct that the deposition of the child be taken on oath in accordance with the "Loi (1853) concernant la rédaction des dépositions";[17] and the deposition shall be admissible in evidence in the proceedings with relation to the offence either for or against the accused person without further proof thereof.

Court Proceedings

ARTICLE 38
CONSTITUTION OF JUVENILE COURT

(1) There shall be constituted in accordance with the provisions of the Second Schedule to this Law a court, to be known as the Juvenile Court, for the purpose of exercising any jurisdiction conferred on Juvenile Courts by or under this or any other enactment.

(2) Subject to the provisions of this Law, the provisions of any other enactment relating to the practice and procedure in the Police Court shall apply to the practice and procedure in the Juvenile Court.

ARTICLE 39
JURISDICTION OF JUVENILE COURT

Subject as hereinafter provided, there shall be vested in the Juvenile Court all jurisdiction and powers hitherto vested in the Police Court when hearing any charge against a child under the age of seventeen years:

Provided that –

(*a*) a charge made jointly against a child under the age of seventeen years and a person who has attained the age of seventeen years shall be heard by the Police Court and not by the Juvenile Court; and

(*b*) where a child under the age of seventeen years is charged with an offence, the charge may be heard by the Police Court if a person who has attained the age of seventeen years is charged at the same time with aiding, abetting, causing procuring, allowing or permitting that offence; and

(*c*) where, in the course of any proceedings before the Police Court, it appears that the person to whom the proceedings relate is a child under the age of seventeen years, nothing in this paragraph shall be construed as preventing the Police Court, if it thinks fit so to do, from proceeding with the hearing and determination of those proceedings.

ARTICLE 40
PROCEDURE IN JUVENILE COURT

(1) The Juvenile Court shall sit as often as may be necessary for the purpose of exercising any jurisdiction conferred on it by or under this or any other enactment and, unless there are no cases before the Court, it shall sit on at least one occasion in each week.

(2) The Juvenile Court shall not sit in a room in which sittings of a court other than the Juvenile Court are held if a sitting of that other court has been or will be

held there within an hour before or after the sitting of the Juvenile Court ; and no person shall be present at any sitting of the Juvenile Court except –

(*a*) members and officers of the court ;

(*b*) parties to the case before the court, their advocates and solicitors, and witnesses and other persons directly concerned in that case ;

(*c*) *bona fide* representatives of newspapers, news agencies or sound or television broadcasting companies ;

(*d*) such other persons as the court may specially authorise to be present.

ARTICLE 41

MISCELLANEOUS PROVISIONS AS TO POWERS OF JUVENILE COURT

(1) The Juvenile Court sitting for the purpose of hearing a charge against, or an application relating to, a person who is believed to be a child under the age of seventeen years may, if it thinks fit to do so, proceed with the hearing and determination of the charge or application, notwithstanding that it is discovered that the person in question is not such a child.

(2) The attainment of the age of seventeen years by a person in respect of whom a probation order is in force, or a person in whose case an order for conditional discharge has been made, shall not deprive the Juvenile Court of jurisdiction to enforce his attendance and deal with him in respect of any failure to comply with the requirements of the probation order or the commission of a further offence or to amend or discharge the probation order.

(3) Subject to the provisions of this Law, the Juvenile Court shall have all the powers of the Police Court.

ARTICLE 42

ATTENDANCE AT COURT OF PARENTS OF CHILD BROUGHT BEFORE COURT

(1) Where a child under the age of seventeen years is charged with any offence or is for any other reason brought before a court, any person who is a parent or guardian of his may be required to attend at the court before which the case is held or determined during all the stages of the proceedings, and any such person shall be so required at any stage where the court thinks it desirable, unless the court is satisfied that it would be unreasonable to require his attendance.

(2) Where a child under the age of seventeen years is apprehended or taken to a place of safety, such steps shall be taken as may be practicable to inform at least one person whose attendance may be required under this Article.

ARTICLE 43

RESTRICTION ON PRESENCE OF PERSONS IN COURT DURING HEARING OF PROCEEDINGS TO WHICH PART IV APPLIES

No person shall be present at any sitting of a court during the hearing of any proceedings under this Part of this Law except –

(*a*) members and officers of the court ;

(*b*) parties to the case before the court, their advocates and solictors, and witnesses and other persons directly concerned in the case ;

(*c*) *bona fide* representatives of newspapers, news agencies or sound or television broadcasting companies ;

(*d*) such other persons as the court may specially authorise to be present.

ARTICLE 44

RESTRICTIONS ON NEWSPAPER AND BROADCAST REPORTS OF PROCEEDINGS TO WHICH PART IV APPLIES

(1) No newspaper report of any proceedings to which this Part of this Law applies shall reveal the name, address or school, or include any particulars calculated to lead to the identification, of any child concerned in those proceedings, either as being the child against or in respect of whom the proceedings are taken or as being a witness therein, nor shall any picture be published in any newspaper as being or including a picture of any child so concerned in any such proceedings as aforesaid :

Provided that the court may in any case, if satisfied that it is in the interests of justice so to do, dispense with the requirements of this Article to such extent as the court may deem fit.

(2) The provisions of this Article shall apply, with the necessary modifications, in relation to sound and television broadcasts as they apply in relation to newspapers.

(3) Any person who publishes any matter in contravention of this Article shall be liable in respect of each offence to a fine not exceeding one hundred pounds.

ARTICLE 45

PROHIBITION AGAINST CHILDREN UNDER SEVENTEEN BEING PRESENT IN COURT DURING THE TRIAL OF OTHER PERSONS

Except by leave of the court, no child under the age of seventeen years (other than an infant in arms) shall be permitted to be present in court during the trial of any other person charged with an offence, or during any proceedings preliminary thereto, except during such time as his presence is required as a witness or otherwise for the purposes of justice ; and any child present in court when under this Article he is not permitted to be there shall be ordered to be removed.

ARTICLE 46

POWER TO CLEAR COURT WHILE CHILD UNDER SEVENTEEN IS GIVING EVIDENCE IN CERTAIN CASES

(1) Where, in any proceedings in relation to an offence against, or any conduct contrary to, decency or morality, a child under the age of seventeen years is called as a witness, the court may direct that all or any persons, not being members or officers of the court or parties to the case, their advocates or solicitors, or persons otherwise directly concerned in the case, be excluded from the court during the taking of the evidence of that witness :

Provided that nothing in this Article shall authorise the exclusion of *bona fide* representatives of newspapers, news agencies or sound or television broadcasting companies.

(2) The powers conferred on a court by this Article shall be in addition and without prejudice to any other powers of the court to hear proceedings in camera.

ARTICLE 47

EVIDENCE OF CHILD OF TENDER YEARS

(1) Where, in any proceedings against any person for any offence, any child of tender years called as a witness does not in the opinion of the court understand the nature of an oath, his evidence may be received, though not given on oath, if, in the

opinion of the court, he is possessed of sufficient intelligence to justify the reception of the evidence, and understands the duty of speaking the truth :

Provided that where evidence admitted by virtue of this Article is given on behalf of the prosecution, the accused shall not be liable to be convicted of the offence unless that evidence is corroborated by some other material evidence in support thereof implicating him.

(2) If any child whose evidence is received as aforesaid wilfully gives false evidence in such circumstances that he would, if the evidence had been given on oath, have been guilty of perjury, he shall be liable to be dealt with as if he had been convicted of an offence punishable in the case of an adult with imprisonment.

ARTICLE 48
POWER TO PROHIBIT PUBLICATION OF CERTAIN MATTER

(1) In relation to any proceedings in any court, the court may direct that –

(*a*) no newspaper report of the proceedings shall reveal the name, address or school, or include any particulars calculated to lead to the identification, of any child concerned in the proceedings, either as being the person by or against or in respect of whom the proceedings are taken, or as being a witness therein ;

(*b*) no picture shall be published in any newspaper as being or including a picture of any child so concerned in the proceedings as aforesaid ;

except in so far (if at all) as may be permitted by the direction of the court.

(2) The provisions of this Article shall apply, with the necessary modifications, in relation to sound and television broadcasts as they apply in relation to newspapers.

(3) Any person who publishes any matter in contravention of any such direction shall be liable in respect of each offence to a fine not exceeding one hundred pounds.

PART V

PROTECTION OF CHILDREN OF PARTIES TO PROCEEDINGS FOR DIVORCE, NULLITY OF MARRIAGE OR JUDICIAL SEPARATION

ARTICLE 49
INTERPRETATION OF PART V

In this Part of this Law, "the court" means the Matrimonial Causes Division of the Royal Court.

ARTICLE 50
EXTENSION OF JURISDICTION OF MATRIMONIAL CAUSES DIVISION TO FURTHER CLASSES OF CHILDREN

(1) Subject to the provisions of this Article, Article 25 of the Matrimonial Causes (Jersey) Law, 1949[18] (which enables the court to provide for the custody, maintenance and education of the children of the parties to matrimonial proceedings) shall apply in relation to a child of one party to the marriage (including an illegitimate or

adopted child) who has been accepted as one of the family by the other party as it applies in relation to a child of both parties.

(2) In considering what provision (if any) should be made by virtue of paragraph (1) of this Article for requiring any party to make any payment towards the maintenance or education of a child who is not his own, the court shall have regard to the extent (if any) to which that party had, on or after the acceptance of the child as one of the family, assumed responsibility for the child's maintenance and to the liability of any person other than a party to the marriage to maintain the child.

(3) It is hereby declared that the reference in paragraphs (2) and (3) of the said Article 25 to the children of the petitioner and respondent includes a reference to any illegitimate child of the petitioner and respondent.

(4) This Article shall not apply in relation to proceedings instituted before the commencement of this Part of this Law.

ARTICLE 51
RESTRICTIONS ON GRANT OF RELIEF IN PROCEEDINGS FOR DIVORCE ETC. INVOLVING WELFARE OF CHILDREN

(1) Subject to the provisions of this Article, in any proceedings for divorce, nullity of marriage or judicial separation where the court has, by virtue of paragraph (1) of Article 25 of the Matrimonial Causes (Jersey) Law, 1949,[19] jurisdiction in relation to any child, the court shall not make absolute any decree for divorce or nullity of marriage or pronounce a decree of judicial separation unless and until the court is satisfied as respects every such child who is under the age of eighteen years that arrangements have been made for the care and upbringing of the child and that those arrangements are satisfactory.

(2) The court may if it thinks fit proceed without observing the requirements of paragraph (1) of this Article if it appears that there are circumstances making it desirable that the decree *nisi* should be made absolute, or, as the case may be, that the decree for judicial separation should be pronounced, without delay and if the court has obtained a satisfactory undertaking from either or both of the parties to bring the question of the arrangements for the children before the court within a specified time.

(3) In paragraph (2) of Article 8 of the said Law[20] (which requires the court in determining an application for leave to present a petition for divorce before the expiration of three years from the date of the marriage to have regard to the interests of any children of the marriage) the reference to any children of the marriage shall be construed as including a reference to any other child in relation to whom the court would have jurisdiction by virtue of paragraph (1) of the said Article 25 in proceedings instituted by the petition.

(4) Paragraph (1) of this Article shall not apply in relation to proceedings instituted before the commencement of this Part of this Law.

ARTICLE 52
POWER OF COURT TO PROVIDE FOR CHILDREN ON DISMISSAL OF PROCEEDINGS FOR DIVORCE ETC

(1) Where proceedings instituted after the commencement of this Part of this Law for divorce, nullity of marriage or judicial separation are dismissed at any stage after the beginning of the trial, the court may, either forthwith or within a reasonable period after the proceedings have been dismissed, make such provision with respect to

the custody, maintenance and education of any child as could be made in the case of that child under paragraph (1) of Article 25 of the Matrimonial Causes (Jersey) Law, 1949,[21] if the proceedings were still before the court.

(2) Where an order has been made under paragraph (1) of this Article as respects a child, the court may from time to time make further provision with respect to his custody, maintenance and education.

ARTICLE 53
POWER OF COURT TO COMMIT CHILDREN TO CARE OF THE COMMITTEE

(1) Where the court has jurisdiction to make provision as to the custody of a child by virtue of Article 25 of the Matrimonial Causes (Jersey) Law, 1949,[22] or of this Part of this Law and it appears to the court that there are exceptional circumstances making it impracticable or undesirable for the child to be entrusted to either of the parties to the marriage or to any other individual, the court may if it thinks fit make an order committing the care of the child to the Committee and thereupon Part IX of this Law shall, subject to the provisions of this Article, apply in relation to the child.

(2) Before making an order under this Article, the court shall hear any representations from the Committee, including any representations as to the making of an order for payments for the maintenance and education of the child.

(3) While an order made by virtue of this Article is in force with respect to any child, the child shall continue in the care of the Committee notwithstanding any claim by a parent or other person.

(4) An order made by virtue of this Article shall cease to have effect as respects any child when that child attains the age of twenty years, and the court shall not make an order committing a child to the care of the Committee under this Article after he has attained the age of seventeen years.

(5) In the application of Part X of this Law under this Article, the exercise by the Committee of its powers under Articles 89 and 91 of this Law shall be subject to any directions given by the court.

(6) It shall be the duty of any parent or guardian of a child committed to the care of the Committee under this Article to secure that the Committee is informed of his address for the time being, and a person who knowingly fails to comply with this paragraph shall be liable to a fine not exceeding ten pounds.

(7) The court shall have power from time to time by an order under this Article to vary or discharge any provisions made in pursuance of this Article.

ARTICLE 54
POWER OF COURT TO PROVIDE FOR SUPERVISION OF CHILDREN

(1) Where the court has jurisdiction to provide for the custody of a child under Article 25 of the Matrimonial Causes (Jersey) Law, 1949,[23] or under this Part of this Law and it appears to the court that there are exceptional circumstances making it desirable that the child should be under the supervision of an independent person, the court may, as respects any period during which the child is, in exercise of that jurisdiction, committed to the custody of any person, order that the child be under the supervision of an officer appointed under this Article as a welfare officer or under the supervision of the Committee.

(2) Where the court makes an order under this Article for supervision by a welfare officer, the officer responsible for carrying out the order shall be such probation officer as may be selected by the court and specified in the order.

(3) The court shall not have power to make an order under this Article as respects a child who in pursuance of an order under Article 62 of this Law is in the care of the Committee.

(4) Where a child is under the supervision of any person in pursuance of this Article, the jurisdiction possessed by the court to vary any order made with respect to the child's custody, maintenance or education under Article 25 of the Matrimonial Causes (Jersey) Law, 1949,[23] or this Part of this Law shall, subject to any rules of court, be exercisable at the instance of the court itself.

(5) The court shall have power from time to time by an order under this Article to vary or discharge any provision made in pursuance of this Article.

PART VI

PROTECTION OF FOSTER CHILDREN AND CERTAIN CHILDREN DURING SCHOOL HOLIDAYS

ARTICLE 55
INTERPRETATION OF PART VI

In this Part of this Law –
"parent", in relation to an adopted child, means the person or one of the persons by whom he was adopted ;
"voluntary organisation" means a body the activities of which are carried on otherwise than for profit.

ARTICLE 56
MEANING OF "FOSTER CHILD"

(1) In this Part of this Law, "foster child" means, subject to the following provisions of this Article, a child below the upper limit of the compulsory school age whose care and maintenance are undertaken for reward for a period exceeding one month by a person who is not a relative or legal guardian of his.

(2) A child is not a foster child within the meaning of this Part of this Law while he is in the care of the Committee or a voluntary organisation or is boarded out by the Committee.

(3) A child is not a foster child within the meaning of this Part of this Law while he is in the care of any person –

(*a*) in premises in which any parent, adult relative or legal guardian of his is for the time being residing ;
(*b*) in any voluntary home ;
(*c*) in any school ;
(*d*) in any nursing home ; or
(*e*) in any home or institution not specified in this Article but maintained by a public or parochial authority.

(4) A child is not a foster child within the meaning of this Part of this Law while he is in the care of any person in compliance with a supervision order or probation order or by virtue of a fit person order.

(5) A child who is a mental defective is not a foster child within the meaning of this Part of this Law while he is in any mental home, or while, not being in such a home, he is under the care of the Public Health Committee after notice in respect of him has been given to that Committee in accordance with Article 34 of the "Loi (1883) pour la protection des aliénés".[24]

(6) For the purposes of this Part of this Law, a person undertaking the care and maintenance of a child shall be deemed to do so for reward if he receives any payment or gift of money or money's worth or any promise of such a payment or gift in connexion therewith, irrespective of whether he makes a profit or intends to make a profit ; but where two persons arrange for each to undertake the care and maintenance of a child normally cared for and maintained by the other, the care and maintenance so undertaken shall be treated for the purposes of this paragraph as not being a gift of money's worth.

(7) For the purposes of this Part of this Law, a person to whom a guardian's allowance under the Insular Insurance (Jersey) Law, 1950,[25] or a family allowance under the Family Allowances (Jersey) Law, 1951,[26] is payable by reason of his maintaining another person's child shall, if one or both of the child's parents are dead, be treated as having undertaken his care and maintenance for reward from the last of the following dates, that is to say –

(*a*) the date on which the application for the allowance was granted ;

(*b*) the date of the death of the first to die of the child's parents ;

(*c*) where the person who is maintaining the child had reasonable cause to believe that both parents of the child were alive, the date on which he became aware that one of the child's parents had died.

ARTICLE 57
DUTY OF COMMITTEE TO ENSURE WELL-BEING OF FOSTER CHILDREN

It shall be the duty of the Committee to secure that all foster children are visited from time to time by officers of the Committee, who shall satisfy themselves as to the well-being of the children and give such advise as to their care and maintenance as may appear to be needed.

ARTICLE 58
DUTY OF PERSONS MAINTAINING FOSTER CHILDREN TO NOTIFY COMMITTEE

(1) A person who proposes to maintain as a foster child a child not already in his care shall give notice thereof in writing to the Committee not less than two weeks before he receives the child, unless he receives him in an emergency ; and a person who maintains a foster child whom he received in an emergency or who became a foster child while in his care shall give notice thereof in writing to the Committee not later than one week after he receives the child or, as the case may be, after the child becomes a foster child.

(2) Every such notice shall specify the premises in which the child is to be or is being kept.

(3) Where a person who is maintaining a foster child changes his permanent address or the premises in which the child is kept, he shall, not less than two weeks before the change, or, if the change is made in an emergency, not later than one week after the change, give notice in writing to the Committee, specifying the new address or premises.

(4) If a foster child dies or is removed or removes himself from the care of the person maintaining him, that person shall, within forty-eight hours thereof, give to the Committee and to the person from whom the child was received notice in writing of the death or removal ; and a notice of removal shall state, if known, the name and address of the person (if any) into whose care the child has been removed or received.

(5) Where a foster child ceases to be a foster child on his removal from the care of the person maintaining him, that person need not give a notice under paragraph (4) of this Article but shall at the request of the Committee give it the same particulars as would have been required to be stated in the notice ; and a person who maintains or proposes to maintain a foster child need not give a notice under paragraph (1) of this Article if the child has within the last three months been maintained by him as a foster child but ceased to be a foster child while in his care or on removal from his care.

(6) The Committee may exempt any person from the duty of giving notices under this Article, and any such exemption may be granted as regards all or any such notices for a specified period, and may be revoked at any time by notice in writing given to that person.

(7) A person maintaining or proposing to maintain a foster child shall at the request of the Committee give it the following particulars, so far as known to him, that is to say, the name, sex, and date and place of birth, of the child, and the name and address of every person who is a parent or legal guardian or acts as a guardian of the child or from whom the child has been or is to be received.

ARTICLE 59
POWER TO INSPECT PREMISES, IMPOSE CONDITIONS OR PROHIBIT THE KEEPING OF FOSTER CHILDREN

(1) Any officer of the Committee may, subject to the production by him if so required of evidence of his authority, enter and inspect any premises in which foster children are to be or are being kept.

(2) If it appears to the Bailiff on information on oath that any officer of the Committee has been refused admission to any premises in which foster children are to be or are being kept, the Bailiff may issue a warrant authorising any police officer or officer of the Committee named therein to enter the premises and carry out such inspection as is mentioned in paragraph (1) of this Article.

(3) The provisions of paragraphs (2), (3), (4) and (5) of Article 10 of this Law shall apply in relation to warrants issued under this Article.

(4) Where a person is keeping or proposes to keep foster children in premises used (while foster children are kept therein) wholly or mainly for that purpose, the Committee may impose on him requirements, to be complied with, after such time as the Committee may specify, whenever a foster child is kept in the premises, as to –

(*a*) the number, age and sex of the foster children who may be kept at any one time in the premises or any part thereof ;

(*b*) the accommodation and equipment to be provided for the children ;
(*c*) the medical arrangements to be made for protecting the health of the children ;
(*d*) the giving of particulars of the person for the time being in charge of the children ;
(*e*) the number, qualifications or experience of the persons employed in looking after the children ;
(*f*) the keeping of records ;

but any requirement imposed under sub-paragraphs (*b*) to (*f*) of this paragraph may be limited by the Committee so as to apply only when the number of foster children kept in the premises exceeds a specified number.

(5) Where a person proposes to keep a foster child in any premises and the Committee is of opinion that it would be detrimental to that child to be kept by him in those premises, the Committee may prohibit him from doing so ; and if the premises are not for the time being used by him for the keeping of any foster child and the Committee is of opinion that it would be detrimental to any foster child to be kept by him in those premises, the Committee may prohibit his use of the premises for the keeping of any foster child.

(6) Where the Committee imposes a requirement on any person under paragraph (4) of this Article as respects any premises, it may prohibit him from keeping foster children in the premises after the time specified for compliance with the requirement unless the requirement is complied with.

(7) Any requirement or prohibition imposed under this Article shall be imposed by giving notice in writing to the person on whom it is imposed and shall contain a statement informing him of his right to appeal under Article 60 of this Law and of the time within which he may appeal.

ARTICLE 60
APPEAL TO ROYAL COURT AGAINST REQUIREMENT OR PROHIBITION IMPOSED UNDER ARTICLE 59

(1) Any person aggrieved by any requirement or prohibition imposed under Article 59 of this Law may, within fourteen days from the date on which he is notified of the requirement or prohibition, appeal to the Royal Court and, where the appeal is against such a requirement, the requirement shall not have effect while the appeal is pending.

(2) Where the Royal Court allows such an appeal, it may, instead of cancelling the requirement or prohibition, vary the requirement or allow more time for compliance with it or, where an absolute prohibition has been imposed, substitute for it a prohibition to use the premises after such time as the court may specify unless such specified requirements as the Committee had power to impose under Article 59 of this Law are complied with.

(3) Any requirement or prohibition specified or substituted under this Article by the Royal Court shall be deemed for the purposes of this Part of this Law other than this Article to have been imposed by the Committee under Article 59 of this Law.

ARTICLE 61
DISQUALIFICATION FOR MAINTAINING FOSTER CHILDREN

A person shall not maintain a foster child if –

(*a*) an order has been made against him under this Part of this Law removing a child from his care ; or

(*b*) an order has been made under Part IV of this Law in respect of any child found to be in need of care, protection or control, being an order by virtue of which the child was removed from his care ; or

(*c*) he has been convicted of any offence specified in the First Schedule to this Law ; or

(*d*) he has, by virtue of a parental rights order, been divested of his rights and powers with respect to a child ; or

(*e*) the Committee has refused to register him under paragraph (5) of Article 68 of this Law or has, under Article 72 of this Law, cancelled his registration or the registration of any premises occupied by him ;

unless he has disclosed that fact to the Committee and obtained its consent.

ARTICLE 62
REMOVAL OF FOSTER CHILDREN KEPT IN UNSUITABLE SURROUNDINGS

(1) If the Royal Court is satisfied, on a representation made by the Attorney General, that a foster child is being kept or is about to be received by any person who is unfit to have his care, or in contravention of Article 61 of this Law or of any prohibition imposed by the Committee under Article 59 of this Law, or in any premises or any environment detrimental or likely to be detrimental to him, the court may make an order for his removal to a place of safety until he can be restored to a parent, relative or legal guardian of his, or until other arrangements can be made with respect to him and on proof that there is imminent danger to the health or well-being of the child the power to make an order under this Article may be exercised by the Bailiff acting on the application of an officer of the Committee.

(2) An order under this Article may be executed by any officer of the Committee or by any police officer.

(3) An order under this Article made on the ground that a prohibition of the Committee under Article 59 of this Law has been contravened may require the removal from the premises of all the foster children kept there.

(4) The Committee may receive into its care any child removed under this Article.

(5) Where a child is removed under this Article, the Committee shall, if practicable, inform a parent or legal guardian of the child, or any person who acts as his guardian.

ARTICLE 63
POWER TO ISSUE WARRANTS TO SEARCH FOR AND REMOVE FOSTER CHILD

For the purposes of this Part of this Law, Article 10 of this Law (which enables a warrant authorising the search for and removal of a child to be issued on suspicion of unnecessary suffering caused to, or certain offences committed against, the child) shall apply in relation to foster children, and any refusal to allow the visiting of a foster child or the inspection of any premises by a person authorised to do so under this Part of this Law shall be treated as giving reasonable cause for such a suspicion.

ARTICLE 64
INSURANCE ON LIVES OF FOSTER CHILDREN

A person who maintains a foster child shall not have any insurable interest in the life of the child, and if any person directly or indirectly insures the life of a foster child maintained by him, he shall be liable to a fine not exceeding five hundred pounds, or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment.

ARTICLE 65
EXTENSION OF PART VI TO CERTAIN SCHOOL CHILDREN DURING HOLIDAYS

(1) Where a child below the upper limit of the compulsory school age resides during school holidays in a school to which this Article applies, then if he so resides for a period exceeding seven days, the provisions of this Part of this Law shall apply in relation to him as if sub-paragraph (*c*) of paragraph (3) of Article 56 of this Law were omitted, but subject to the modifications specified in paragraph (2) of this Article.

(2) Where this Part of this Law applies to a child by virtue of paragraph (1) of this Article –

(*a*) paragraphs (1) to (6) of Article 58, paragraphs (2) to (7) of Article 59 and Article 66 of this Law shall not apply ; but

(*b*) the person undertaking the care and maintenance of children in the school during the school holidays shall, not less than two weeks before this Part of this Law first applies to a child in that school during those holidays, give notice in writing to the Committee that children to whom this Part of this Law applies will reside in the school during those holidays, and any such notice shall state the estimated number of the children.

(3) The Committee may exempt any person from the duty of giving notices under this Article, and any such exemption may be granted for a specified period or indefinitely and may be revoked at any time by notice in writing given to that person.

(4) This Article applies to any school which is not a school under the administration of the Committee.

ARTICLE 66
EXTENSION OF PART VI TO CERTAIN CHILDREN ABOVE COMPULSORY SCHOOL AGE

Where a child is a foster child on attaining the upper limit of the compulsory school age, this Part of this Law shall apply in relation to him as it applies in relation to a foster child, until the earliest of the following events, that is to say, until –

(*a*) he would, apart from that limit, have ceased to be a foster child ;

(*b*) he reaches the age of eighteen years ; or

(*c*) he lives elsewhere than with the person with whom he was living when he attained the said limit.

ARTICLE 67
OFFENCES

If any person –

(*a*) being required, under any provision of this Part of this Law, to give any notice or information, fails to give the notice within the time specified in that provision or fails to give the information within a reasonable time ; or

(*b*) knowingly makes or causes or procures another person to make any false or misleading statement in any such notice or information ; or

(*c*) fails to comply with any requirement imposed by the Committee under this Part of this Law or keeps any foster child in any premises in contravention of a prohibition so imposed ; or

(*d*) maintains a foster child in contravention of Article 61 of this Law ; or

(*e*) refuses to comply with an order under this Part of this Law for the removal of any child or obstructs any person in the execution of such an order ;

he shall be liable to a fine not exceeding one hundred pounds, or, in the case of a second or subsequent offence, to a fine not exceeding five hundred pounds or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment :

Provided that in the case of a first offence under sub-paragraph (*a*) of this Article, the fine which may be imposed shall not exceed twenty-five pounds.

PART VII

NURSERIES AND CHILD-MINDERS

ARTICLE 68
REGISTRATION OF NURSERIES AND CHILD-MINDERS

(1) The Committee shall keep registers –

(*a*) of premises, other than premises wholly or mainly used as private dwellings, where children who have not attained the upper limit of the compulsory school age are received to be looked after for the day or for a part or parts thereof of a duration or an aggregate duration, of two hours or longer or for any longer period not exceeding six days ;

(*b*) of persons who for reward receive into their homes children under the age of six years to be looked after as aforesaid.

(2) The registers kept under paragraph (1) of this Article shall be open to inspection at all reasonable times.

(3) Any person receiving or proposing to receive children as mentioned in sub-paragraph (*a*) or (*b*) of paragraph (1) of this Article shall make application to the Committee for registration thereunder in such manner and accompanied by such particulars as the Committee may require, and on receipt of such an application the Committee shall, subject to the provisions of this Article, register the premises to which, or as the case may be the person to whom, the application relates.

(4) The Committee may refuse to register any premises if it is satisfied that any person employed or proposed to be employed in looking after children at the premises is not a fit person to look after children, or that the premises are not fit (whether because of the condition thereof or of the equipment thereof or for any reason connected with the situation, construction or size thereof or with any persons therein) to be used for the reception of children.

(5) The Committee may refuse to register any person if it is satisfied that that person, or any person employed or proposed to be employed by him in looking after children, is not a fit person to look after children or that the premises in which the children are received or proposed to be received are not fit (whether because of the condition thereof or of the equipment thereof or for any reason connected with the

situation, construction or size thereof or with other persons therein) to be used for the purpose.

(6) The Committee may, in its absolute discretion, grant exemptions from the provisions of this Article and may attach to any exemption such conditions as it thinks fit and may vary such conditions at any time or withdraw the exemption.

ARTICLE 69
POWER TO IMPOSE REQUIREMENTS IN CONNEXION WITH REGISTRATION

(1) The Committee may determine the maximum number of children who may be received in premises registered under Article 68 of this Law.

(2) The Committee may, in the case of a person registered under Article 68 of this Law, determine the maximum number of children who may be received in his home as mentioned in sub-paragraph (*b*) of paragraph (1) of that Article and in making a determination under this paragraph the Committee shall have regard to the number of any other children who may from time to time be in the home.

(3) The Committee may, as respects any premises or person registered under Article 68 of this Law, require the taking of precautions against the exposure of the children received in the premises to infectious diseases.

(4) The Committee may, as respects any premises registered under Article 68 of this Law impose requirements for securing –

(*a*) that a person with such qualifications as may be specified by the Committee shall be in charge of the premises and of the persons employed thereat ;

(*b*) that the premises shall be adequately staffed, both as respects the number and as respects the qualifications or experience of the persons employed thereat, and adequately equipped ;

(*c*) that the premises shall be kept safe and adequately maintained and the equipment thereof shall be adequately maintained ;

(*d*) that there shall be adequate arrangements for feeding the children received in the premises and that an adequate and suitable diet shall be provided for them

(*e*) that the children received in the premises shall be under medical supervision ;

(*f*) that records shall be kept in relation to the children received at the premises containing such particulars as may be specified by the Committee.

(5) Any determination or requirement under this Article may be made or imposed either on registration or at any subsequent time.

ARTICLE 70
CERTIFICATES OF REGISTRATION

(1) The Committee shall issue certificates of registration under Article 68 of this Law, and any such certificate shall specify the situation of the premises to which, or the name and address of the person to whom, the registration relates and any determination made and requirements imposed under Article 69 of this Law.

(2) On any change occurring in the circumstances which are stated in a certificate issued under this Article, the Committee shall issue an amended certificate.

(3) A person registered under Article 68 of this Law shall –

(*a*) keep his certificate of registration displayed in a prominent position in the premises to which the registration relates ;

(*b*) when required by or on behalf of the Committee so to do, produce or deliver his certificate of registration to the Committee or to an officer of the Committee authorised in that behalf.

(4) Where the Committee is satisfied that any certificate issued under this Article has been lost or destroyed, the Committee shall, on payment of such fee (if any) not exceeding five shillings as the Committee may determine, issue a copy of the certificate.

ARTICLE 71
OFFENCES

(1) If any person in connexion with any application for registration under this Part of this Law, makes, with respect to himself or another, any statement which he knows to be false, or recklessly makes, with respect to himself or another, any statement which is false or withholds any material information he shall be guilty of an offence.

(2) If at any time after the expiration of three months from the commencement of this Part of this Law a child is received in any premises as mentioned in sub-paragraph (*a*) of paragraph (1) of Article 68 of this Law and the premises are not registered or exempted under that Article or any determination made or any requirement imposed under Article 69 of this Law is contravened or not complied with, the occupier of the premises shall be guilty of an offence.

(3) Where at any such time as aforesaid a person receives as mentioned in sub-paragraph (*b*) of paragraph (i) of Article 68 of this Law a child of whom he is not a relative then if he is not registered under, or exempted from, Article 68 of this Law, or if he contravenes or fails to comply with any determination made or requirement imposed under Article 69 of this Law, he shall be guilty of an offence.

(4) Where a person has been registered under Article 68 of this Law and while he is so registered he acquires a new home, then until he has given notice thereof in writing to the Committee he shall not for the purposes of paragraph (3) of this Article be treated as being so registered in relation to the reception of children in the new home.

(5) Where any person fails to comply with any condition attached to any exemption granted under paragraph (6) of Article 68 of this Law, or with the provisions of paragraph (3) of Article 70 of this Law, he shall be guilty of an offence.

(6) A person guilty of an offence under this Article shall be liable to a fine not exceeding fifty pounds or, in the case of a second or subsequent offence, to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment :

Provided that in the case of a first offence under paragraph (3) of this Article the fine which may be imposed shall not exceed twenty-five pounds.

ARTICLE 72
CANCELLATION OF REGISTRATION

Where –

(*a*) there has been a contravention of, or non-compliance with, any determination made or requirement imposed under Article 69 of this Law

in relation to any premises or person registered under Article 68 thereof; or

(*b*) it appears to the Committee as respects any premises or person registered under the said Article 68, that circumstances exist which would justify a refusal under paragraph (4) or (5) of that Article to register the premises or person ;

the Committee may cancel the registration and in any such case the person registered shall forthwith return his certificate of registration to the Committee or to an officer of the Committee authorised in that behalf.

ARTICLE 73
NOTICE OF DECISIONS

(1) The Committee shall not refuse an application for registration under Article 68 of this Law or make any determination or any requirement under Article 69 of this Law or, under Article 72 of this Law, cancel any registration, unless it has given to the applicant, to the occupier of the premises to which the registration relates or to the person registered, as the case may be, not less than fourteen days notice in writing of its intention to do so and of its reasons for so doing, and every such notice shall contain an intimation that if, within fourteen days after the receipt of the notice, the said applicant, occupier or person gives to the Committee notice in writing that he desires so to do, the Committee will, before making a decision in the matter, give him an opportunity of being heard in person or by a representative.

(2) If the Committee, after giving to the said applicant, occupier or person such an opportunity as aforesaid, decides to refuse the application, make the determination or impose the requirement, or cancel the registration, as the case may be, it shall give to the said applicant, occupier or person, notice in writing of its decision and shall, if so requested by him, deliver to him, within seven days of the receipt of such request, particulars in writing of the reasons for its decision.

(3) Any notice given under paragraph (2) of this Article shall contain a statement informing the person to whom it is given of his right of appeal under Article 74 of this Law and of the time within which he may appeal.

ARTICLE 74
APPEALS

(1) A person aggrieved by a decision under paragraph (2) of Article 73 of this Law may, within one month from the giving of the notice under the said paragraph, appeal to the Royal Court on the ground that the decision is unreasonable having regard to all the circumstances of the case; and an order cancelling any registration shall not take effect until the expiration of the time within which an appeal may be brought under this Article or, where such an appeal is brought, before the determination of the appeal.

(2) On an appeal under this Article, the Royal Court may confirm the decision of the Committee or may direct that the decision be varied, and the Committee shall comply with the direction.

ARTICLE 75
INSPECTION

(1) Any officer of the Committee or the Medical Officer of Health may, subject to the production by him of evidence of his authority, at all reasonable times enter any premises which are used for the reception of children as mentioned in sub-paragraph (*a*) or (*b*) of paragraph (1) of Article 68 of this Law, and may inspect the

premises and the children so received therein, the arrangements for their welfare, and any records relating to them kept in pursuance of this Part of this Law.

(2) If it appears to the Bailiff on information on oath that any officer of the Committee has been refused administration to the home of a person registered under Article 68 of this Law, or has reasonable cause to believe that children are being received in a person's home or in any other premises in contravention of Article 71 of this Law, the Bailiff may issue a warrant authorising any police officer or officer of the Committee named therein to enter the home or other premises and carry out any such inspection as is mentioned in paragraph (1) of this Article.

(3) The provisions of paragraphs (2), (3), (4) and (5) of Article 10 of this Law shall apply in relation to warrants issued under this Article.

ARTICLE 76
EXEMPTION OF CERTAIN INSTITUTIONS

(1) Nothing in this Part of this Law shall apply to the reception of children in any hospital, nursing home, mental home or voluntary home.

(2) Nothing in this Part of this Law shall apply to the reception of children in any school except during school holidays where children reside there.

PART VIII

VOLUNTARY HOMES

ARTICLE 77
MEANING OF "VOLUNTARY HOME"

In this Law, "voluntary home" means any home or other institution for the boarding, protection, care and maintenance of children under the age of seventeen years, being a home or other institution supported wholly or partly by voluntary contributions or endowments, but does not include either a school or a mental home.

ARTICLE 78
REGISTRATION OF VOLUNTARY HOMES

(1) After the expiration of three months from the commencement of this Part of this Law, no voluntary home shall be carried on unless it is for the time being registered in a register to be kept for the purposes of this Article by the Committee.

(2) Application for registration under this Article shall be made by the persons carrying on or intending to carry on the voluntary home to which the application relates, and shall be made in such manner and accompanied by such particulars as the Committee may require.

(3) On an application duly made under paragraph (2) of this Article –

(*a*) if the voluntary home to which the application relates was at the commencement of this Part of this Law open for the reception of children under the age of seventeen years, the application shall be granted :

Provided that the Committee may, subject to the provisions of Article 79 of this Law, refuse the application if it is of the opinion that the applicant is not a fit and proper person to carry on a voluntary home ;

(*b*) in any other case, the Committee may either grant or, subject to the provisions of Article 79 of this Law, refuse the application, as it thinks fit.

(4) Where at any time it appears to the Committee that the conduct of any voluntary home registered under paragraph (1) of this Article is not in accordance with orders made or directions given in that behalf under this Part of this Law or is otherwise unsatisfactory, the Committee may, subject to the provisions of Article 79 of this Law, remove the home from the register.

(5) Any person who carries on a voluntary home in contravention of the provisions of paragraph (1) of this Article shall be liable to a fine not exceeding one hundred pounds and to a further fine not exceeding five pounds in respect of each day during which the offence continues after conviction.

(6) Where –

(*a*) a voluntary home is carried on in contravention of the provisions of paragraph (1) of this Article ; or

(*b*) notice of a proposal to remove a voluntary home from the register is given under paragraph (4) thereof ;

the Committee may, notwithstanding that the time for any appeal under Article 79 of this Law has not expired or that such an appeal is pending, remove from the home and receive into its care all or any of the children for whom accommodation is being provided in the home.

(7) For the purpose of the exercise of the powers of the Committee under paragraph (6) of this Article, any officer of the Committee authorised in that behalf by the Committee may enter any premises in which the home in question is being carried on.

ARTICLE 79
RIGHT OF APPEAL

(1) The Committee shall not refuse an application for the registration of a voluntary home, or remove any voluntary home from the register, unless it has given to the applicant or the person carrying on the voluntary home, as the case may be, notice in writing of its intention to do so and of its reasons for so doing, and every such notice shall contain an intimation that, if within fourteen days after the receipt of the notice, the applicant, or the person carrying on the voluntary home, as the case may be, informs the Committee in writing that he desires so to do, the Committee will before refusing his application or removing the voluntary home from the register, give him an opportunity of being heard, in person or by a representative, against such refusal or removal.

(2) If the Committee, after giving to the applicant or the person carrying on the voluntary home an opportunity of being heard, decides to refuse the application or remove the voluntary home from the register, it shall, if required by the applicant or that person, deliver to him within seven days of the receipt of such requirement, particulars in writing of the reasons for such refusal or removal.

(3) Any person aggrieved by such decision of the Committee, may, within one month of the receipt of the notice given under paragraph (2) of this Article, appeal to the Royal Court, either in term or in vacation, on the ground that the decision of the Committee was unreasonable having regard to all the circumstances of the case ; and where the appeal is brought against a proposal to remove a voluntary home from the register, the home shall not be so removed until the appeal has been determined.

(4) On an appeal under this Article, the Royal Court may confirm the decision of the Committee or may direct that the voluntary home shall be registered or, as the case may be, shall not be removed from the register, and the Committee shall comply with the direction.

(5) Any notice under this Article required to be given by the Committee to the persons carrying on, or intending to carry on, a voluntary home may be given to any one of those persons.

ARTICLE 80
ORDERS AS TO CONDUCT OF VOLUNTARY HOMES

(1) The Committee may by order make provision as to the conduct of voluntary homes and for securing the welfare of the children therein, and any order under this Article may in particular –

(*a*) impose requirements as to the accommodation and equipment to be provided in homes, and as to the arrangements to be made for ensuring the health and safety of the children in the homes ;

(*b*) require the furnishing to the Committee of information as to the facilities provided for the parents and guardians of children in the homes to visit and communicate with the children and authorise the Committee to give directions as to the provision of such facilities ;

(*c*) authorise the Committee to give directions limiting the number of children who may at any one time be accommodated in any particular home;

(*d*) require the furnishing to the Committee at such times and in such form as shall be prescribed by the order, such particulars as shall be so prescribed with respect to children for the time being in, or admitted or received into homes and to children boarded out or discharged from homes ; and

(*e*) impose requirements as to the facilities which are to be given for children to receive a religious upbringing appropriate to the persuasion to which they belong ;

and may contain different provisions for different descriptions of cases and as respects different descriptions of homes.

(2) The Committee may require the person in charge of a voluntary home to hand over any child accommodated in the home with a view to the child being boarded out by the Committee, and the child shall thereupon be deemed to have come within the care of the Committee under Article 82 of this Law.

(3) Any person who contravenes or fails to comply with the provisions of any order made under this Article or any requirement made or direction given under any such order shall be liable to a fine not exceeding fifty pounds.

ARTICLE 81
INSPECTION

Any officer of the Committee may, subject to the production by him of evidence of his authority, enter any voluntary home and make such examinations into the state and management thereof and the condition and treatment of the children therein as he thinks requisite ; and a refusal to allow such an officer to enter the home or to make such examinations as aforesaid shall, for the purposes of Article 10 of this Law (which relates to search warrants) be deemed to be a reasonable cause to suspect that a child in the home is being neglected in a manner likely to cause him unnecessary suffering or injury to health.

PART IX

DUTY OF COMMITTEE TO ASSUME CARE OF CHILDREN

ARTICLE 82
DUTY OF COMMITTEE TO PROVIDE FOR ORPHANS, DESERTED CHILDREN ETC

(1) Where it appears to the Committee that a child is under the age of seventeen years and –

(*a*) (i) has neither parent nor legal guardian or has been and remains abandoned by his parents or legal guardian or is lost ; or

(ii) his parents or legal guardian are, for the time being or permanently, prevented by reason of mental or bodily disease or infirmity or other incapacity or any other circumstances from providing for his proper accommodation, maintenance and upbringing; and

(*b*) in either case, the intervention of the Committee under this Article is necessary in the interests of the welfare of the child;

it shall be the duty of the Committee to receive the child into its care under this Article.

(2) Where the Committee has received a child into its care under this Article, it shall, subject to the provisions of this Part of this Law, be the duty of the Committee to keep the child in its care so long as the welfare of the child appears to require it and the child has not attained the age of twenty years.

(3) Nothing in this Article shall authorise the Committee to keep a child in its care under this Article if any parent or legal guardian of the child desires to take over the care of the child, and the Committee shall, in all cases where it appears consistent with the welfare of the child so to do, endeavour to secure that the care of the child is taken over either –

(*a*) by a parent or legal guardian of his; or

(*b*) by a relative or friend of his, being, where possible, a person of the same religious persuasion as the child or who gives an undertaking that the child will be brought up in that religious persuasion.

(4) Where the Committee receives a child into its care under this Article who is ordinarily resident outside the Island, the Committee may arrange with the appropriate authority in the place where the child ordinarily resides for that authority to take over the care of the child and, in such case, the Committee may make such arrangements with that authority regarding expenses incurred by the Committee under this Law in respect of the child as it may think fit.

ARTICLE 83
POWER OF COMMITTEE TO APPLY FOR PARENTAL RIGHTS ORDER

(1) Where it appears to the Committee with respect to any child in its care under Article 82 of this Law –

(*a*) that the parents of the child are dead and that he has no legal guardian; or

(*b*) that a parent or legal guardian of the child has abandoned him or suffers from some disability of mind or body rendering the parent or legal guardian incapable of caring for him, or is of such habits or mode of life as to be unfit to have the care of him; or

(*c*) that a person or legal guardian of the child has so persistently failed without reasonable cause to discharge the obligations of a parent or legal guardian as to be unfit to have the care of the child;

the Committee may, subject to the provisions of this Part of this Law, apply to the Royal Court for an order (in this Law referred to as a "parental rights order") vesting in the Committee with respect to the child all the rights and powers which the deceased parents would have if they were still living, or, as the case may be, all the rights and powers of the parent or legal guardian, and the court shall, subject to the provisions of paragraph (4) of this Article, have power to make such an order.

(2) On any application by the Committee to the Royal Court under paragraph (1) of this Article for a parental rights order in respect of any child, any relative or next-of-kin of the child may appear before the court and object to the making of the order, and, where the Committee proposes to apply for a parental rights order by virtue of sub-paragraph (*b*) of that paragraph, the Committee shall, if the whereabouts of the parent or legal guardian are known to it, give to such parent or legal guardian at least seven days notice in writing of its intention to apply for the order, and the said parent or legal guardian may appear before the court and object to the making of the order.

(3) Every notice under paragraph (2) of this Article shall inform the parent or legal guardian of his right to appear before the court and object to the making of the order.

(4) The Royal Court shall not make a parental rights order by virtue of sub-paragraph (*b*) of paragraph (1) of this Article unless satisfied that the child has been, and at the time of the application for such order remains, abandoned by his parent or legal guardian, or that the parent or legal guardian suffers from some disability of mind or body rendering him incapable of caring for the child, or is of such habits or mode of life as to be unfit to have the care of the child.

ARTICLE 84
EFFECT OF PARENTAL RIGHTS ORDER

(1) While a parental rights order made by virtue of sub-paragraph (*a*) of paragraph (1) of Article 83 of this Law is in force with respect to a child, all rights and powers which the deceased parents would have had if they were still living shall, in respect of the child, be vested in the Committee subject to such conditions and exceptions as may be mentioned in the order.

(2) While a parental rights order made by virtue of sub-paragraph (*b*) of the said paragraph (1) is in force, all rights and powers of the parent or legal guardian shall, in respect of the child to whom the order relates, be vested in the Committee subject to such conditions and exceptions as may be mentioned in the order and accordingly while the order remains in force –

(*a*) references in paragraph (3) of Article 82 of this Law to a parent or legal guardian shall not include references to a parent or legal guardian who, by the order, has been divested of parental rights and powers in respect of the child; and

(*b*) the Committee shall be liable to maintain the child.

(3) A parental rights order shall not prevent the Committee from allowing the child to be, either for a fixed period or until the Committee otherwise determines, under the care of a parent legal guardian, relative, next-of-kin or friend in any case where it appears to the Committee to be for the benefit of the child.

(4) Where a parental rights order is in force in respect of a child and the child has ceased to be in the care of the Committee, then (without prejudice to the provisions of Article 82 of this Law if those provisions apply) the Committee shall have power to receive the child back into its care in any circumstances in which it appears that its intervention is necessary in the interests of the welfare of the child.

(5) Where the Committee receives a child into its care under paragraph (4) of this Article, the provisions of this Part of this Law shall apply as if the child had been received into its care under the said Article 82.

(6) A parental rights order shall not relieve any person from any liability to maintain, or contribute to the maintenance of, the child; and the Committee may recover from any such person, as a civil debt, the amount of any money expended by it on such maintenance.

(7) A parental rights order shall not authorise the Committee to cause a child to be brought up in any religious persuasion other than that in which he would have been brought up if the order had not been made.

(8) If any person knowingly –

(*a*) assists or induces a child to whom this paragraph applies to run away; or

(*b*) harbours or conceals a child to whom this paragraph applies who has run away, or prevents him from returning to the place from which he has run away;

he shall be liable to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

(9) Where the Committee has, in accordance with paragraph (3) of this Article, allowed any person to take over the care of a child and has by notice in writing required that person to return the child at a time specified in the notice (which, if that person has been allowed to take over the care of the child for a fixed period, shall not be earlier than the end of that period) any person who harbours or conceals the child after that time or who prevents him from returning as required by the notice, shall be liable to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

(10) Paragraph (8) of this Article applies to any child in the care of the Committee under Article 82 of this Law in respect of whom a parental rights order is in force, being a child for whom accommodation (whether in a home or otherwise) is being provided by the Committee in pursuance of Part X of this Law; and references in the said paragraph (8) to running away shall be construed as references to running away from a place where accommodation is or was being so provided.

ARTICLE 85
DURATION OF PARENTAL RIGHTS ORDERS

(1) Subject to the provisions of this Part of this Law, a parental rights order shall continue in force until the child with respect to whom it was made attains the age of twenty years.

(2) A parental rights order may be discharged on application to the Royal Court –

(*a*) where the order was made by virtue of sub-paragraph (*a*) of paragraph (1) of Article 83 of this Law, by a person claiming to be the parent or legal guardian of the child or by a relative, next-of-kin or friend of the child;

(*b*) where the order was made by virtue of sub-paragraph (*b*) of the said paragraph (1), by the parent or legal guardian of the child or by a relative, next-of-kin or friend of the child;

(*c*) in either case, by the Committee;

if the court is satisfied that the discharge of the order would be for the benefit of the child:

Provided that the court may, if it thinks fit, in lieu of discharging the order, direct that, either for a fixed period or until the court otherwise directs, the child shall be in the care of a parent, legal guardian, relative, next-of-kin or friend.

ARTICLE 86
APPLICATION OF PRECEDING PROVISIONS TO CHILDREN ALREADY SUBJECT TO ORDERS OF COURT

(1) The reception of a child by the Committee into its care under Article 82 of this Law, and the making of a parental rights order with respect to a child, shall not affect any supervision order or probation order previously made with respect to him by any court.

(2) Where an order of any court is in force giving to any person the custody of a child, the foregoing provisions of this Part of this Law shall have effect in relation to the child as if for references to a parent or legal guardian of the child there were substituted references to that person.

ARTICLE 87
DUTY OF PARENTS TO KEEP IN TOUCH WITH COMMITTEE

(1) The parent of a child who has not attained the age of seventeen years and is in the care of the Committee under Article 82 of this Law shall secure that the Committee is informed of the parent's address for the time being.

(2) Any parent who knowingly fails to comply with paragraph (1) of this Article shall be liable to a fine not exceeding ten pounds:

Provided that it shall be a defence in any proceedings under this paragraph to prove that the defendant was residing at the same address as the other parent of the child, and had reasonable cause to believe that the other parent had informed the Committee that both parents were residing at that address.

PART X

TREATMENT OF CHILDREN IN CARE OF COMMITTEE

ARTICLE 88
APPLICATION OF PART X

This Part of this Law relates to the powers and duties of the Committee in relation to children committed to its care as a fit person under an order made by virtue of Article 31 of this Law or committed to its care under an order made by virtue of Article 53 of this Law (subject, however, to any directions given by the Royal Court under the said Article 53) or received into its care under this Law.

ARTICLE 89
GENERAL DUTY OF COMMITTEE

Where a child is in the care of the Committee, it shall be the duty of the Committee to exercise its powers with respect to him so as to further his best interests, and to afford him opportunity for the proper development of his character and abilities.

ARTICLE 90
MODE OF PROVISION OF ACCOMMODATION AND MAINTENANCE

(1) Subject to the provisions of this Article, the Committee shall discharge its duty to provide accommodation and maintenance for a child in its care –

(*a*) by boarding him out on such terms (whether as to payment by the Committee or otherwise) as the Committee may, subject to the provisions of this Law and any orders made thereunder, determine ; or

(*b*) where it is not practicable or desirable for the time being to make arrangements for boarding-out, by maintaining the child in a children's home or by placing him in a voluntary home the managers of which are willing to receive him.

(2) A child who is in the care of the Committee and has attained the upper limit of the compulsory school age may be accommodated and maintained in any hostel (whether provided by the Committee or not) which is wholly or mainly intended for persons who have attained the upper limit of the compulsory school age but have not attained the age of twenty years.

(3) Notwithstanding anything in the foregoing provisions of this Article, the Committee may accommodate and maintain a child in its care in premises under its control or under the control of any other public or parochial authority.

(4) Where under this Article the Committee provides for a child by maintaining him in a home or hostel not provided by the Committee, the terms, whether as to payment by the authority or as to other matters, on which the child is so maintained shall be such as may be agreed upon between the Committee and the persons providing the home or hostel.

ARTICLE 91
ORDERS AS TO BOARDING-OUT

(1) The Committee may by order make provision in relation to the boarding-out of children under sub-paragraph (*a*) of paragraph (1) of Article 90 of this Law and to the welfare of such children.

(2) Without prejudice to the provisions of paragraph (1) of this Article, any order under this Article may provide –

(*a*) for a child to be boarded-out, where possible, with a person who is either of the same religious persuasion as the child or who gives an undertaking that the child will be brought up in that religious persuasion;

(*b*) for the supervision of children boarded-out as aforesaid, and the inspection of the premises in which they are boarded-out, and for the removal of the children from those premises if their welfare appears to require it.

PART XI

CONTRIBUTIONS TOWARDS MAINTENANCE OF CHILDREN

ARTICLE 92
APPLICATION OF PART XI

The provisions of this Part of this Law shall have effect in relation to –

(*a*) children committed to the care of a fit person under Part IV of this Law;

(*b*) children ordered to be sent to an approved school under Part IV of this Law;

(*c*) children received into the care of the Committee under this Law;

and references in this Part of this Law to a child shall be construed accordingly.

ARTICLE 93
PERSONS BY AND TO WHOM CONTRIBUTIONS ARE PAYABLE

(1) Except in a case to which paragraph (2) of this Article applies, it shall be the duty of the father and mother of every child to make contributions in respect of him in accordance with the following provisions of this Part of this Law.

(2) In any case where the Committee so thinks fit, it may require the legal guardian or guardian of any child received into its care to make such contributions in respect of him as the Committee may determine.

(3) A child who has been received into the care of the Committee under this Law and has attained the upper limit of the compulsory school age and is engaged in remunerative full-time work shall, so long as he remains in the care of the Committee, be liable to make such contributions in respect of himself as the Committee may determine.

(4) Where a child has been committed to the care of a fit person, not being the Committee, contributions under this Article shall be payable to that person to be applied by him in or towards the maintenance, or otherwise for the benefit, of the child.

(5) Contributions under this Article shall be payable in respect of a child received into the care of the Committee under this Law, or committed to the care of the Committee as a fit person, or ordered to be sent to an approved school, to the Committee.

ARTICLE 94
CONTRIBUTION ORDERS

(1) The Royal Court may, at any time, on the application of the Committee or other person to whom contributions are payable under Article 93 of this Law in respect of a child, make an order requiring any person liable to make the contributions to contribute such weekly sum as the court, having regard to his means, thinks fit.

(2) In this Article, an order made under this Article is referred to as a "contribution order" and the person against whom such order is made is referred to as a "contributor".

(3) A contribution order may specify the period during which it is to remain in force and, unless such period is specified n the order, the order shall, subject to any variation or recession thereof made by the Royal Court under paragraph (4) or (5) of this Article, remain in force –

(*a*) where the order relates to a child received into the care of the Committee under this Law, so long as he is in the care of the Committee;

(*b*) where the order relates to a child committed to the care of a fit person, so long as the order for such committal remains in force; and

(*c*) where the order relates to a child ordered to be sent to an approved school, until he ceases to be under the care of the managers of such a school so however that no contributions shall be payable under any such order in respect of any period during which he is out under supervision from the approved school.

(4) The Royal Court may, on the application of the Committee or other person entitled to receive contributions payable under a contribution order, or on the application of the contributor, vary or rescind the contribution order.

(5) Where a contributor has not been present at the sitting of the court at which the contribution order is made, the contribution order shall be served on him in manner prescribed by rules of court and shall be binding on him unless within the time prescribed as aforesaid he makes an application to the court for the rescission or modification of the order on the ground that –

(*a*) he is not liable under Article 93 of this Law ; or

(*b*) he is unable to contribute the sum specified in the order ;

and on hearing any such application the court may confirm the order with or without modifications, or may rescind it.

(6) The contributor shall, if he changes his address, forthwith give notice thereof in writing to the Committee or other person who was, immediately before the change, entitled to receive the contributions under the contribution order and, if he fails to do so, he shall be liable to a fine not exceeding ten pounds.

ARTICLE 95
DUTY OF PARENTS TO NOTIFY CHANGE OF ADDRESS

(1) The parent of a child who is detained in an approved school or is in the care of a fit person, in pursuance of an order made under this Law, shall keep the Viscount or, as the case may be, the fit person informed of the address of the parents.

(2) A parent of a child who, knowing that that child is detained in an approved school or is in the care of a fit person as mentioned in paragraph (1) of this Article, fails to comply with that paragraph shall be liable to a fine not exceeding five pounds :

Provided that in any proceedings under this paragraph it shall be a defence to prove that the defendant was residing at the same address as the other parent and had reasonable cause to believe that the other parent had kept the Viscount or the fit person, as the case may be, informed of the address of both.

ARTICLE 96
APPLICATION OF PART XI IN RELATION TO ILLEGITIMATE CHILDREN

This Part of this Law shall apply in relation to a child who is illegitimate as if references therein to the father of the child were references to the putative father of the child, but the Royal Court shall not find any person to be the putative father of an illegitimate child except on evidence of the mother which is corroborated in some material particular by other evidence.

ARTICLE 97
APPLICATION OF PART XI IN RELATION TO CHILDREN AWAITING ADOPTION

Where notice of intention to apply for an adoption order is given in pursuance of paragraph (2) of Article 7 of the Adoption (Jersey) Law, 1961,[27] in respect of any child who is for the time being in the care of the Committee then, until the application for an adoption order has been made and disposed of and while the infant is in the care and possession of the person by whom the notice is given –

(*a*) no contribution shall be payable (whether under a contribution order or otherwise) in respect of the child by any person liable under Article 93 of this Law to make contributions in respect of him (but without prejudice to the recovery of any sum due at the time when the notice is given) ; and

(*b*) paragraphs (2) and (3) of Article 14 of the Family Allowances (Jersey) Law, 1951,[28] (which provide that certain children shall not be treated as included in any family for the purposes of that Law) shall not apply in relation to the child ;

unless twelve weeks have elapsed since the giving of the notice without the application being made or the application has been refused by the court or withdrawn.

PART XII

ESCAPES FROM REMAND CENTRES AND APPROVED SCHOOLS, AND FROM CARE OF FIT PERSONS

ARTICLE 98
ESCAPES ETC. FROM REMAND CENTRES

If any person –

(*a*) knowingly assists or induces a child to escape from a remand centre ; or

(*b*) without lawful authority takes away a child from a remand centre ; or

(*c*) knowingly harbours or conceals a child who has so escaped or has been so taken away, or prevents him from returning ;

he shall be liable to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment.

ARTICLE 99
ESCAPES FROM APPROVED SCHOOLS ETC

(1) Any person who has been ordered to be sent to an approved school and who –

(*a*) escapes from the school in which he is detained, or from any hospital, home or institution in which he is receiving medical attention ; or

(*b*) being absent from his school on temporary leave of absence or under supervision, runs away from the person in whose charge he is, or fails to return to the school on the expiration of his leave ; or

(*c*) being absent from his school under supervision, fails to return to the school on being recalled ;

may be apprehended without warrant and returned to the school or taken to such place as the Secretary of State may direct.

(2) Until such time as any such person has been returned or taken as aforesaid, he shall be detained in such place as the Attorney General shall direct.

(3) If any person knowingly –

(*a*) assists or induces a person to commit any such act as is mentioned in paragraph (1) of this Article ; or

(*b*) harbours or conceals a person who has committed any such act, or prevents him from returning ;

he shall be liable to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment.

ARTICLE 100
ESCAPES FROM CARE OF FIT PERSONS ETC

(1) A child who runs away or is without lawful authority taken away from a person to whose care he has been committed under this Law may be apprehended without warrant and brought back to that person, if he is willing to receive him, and if he is not willing to receive him, may be brought before the Royal Court and the court may make any order with respect to him which the court might have made if he had been brought before it as being a child beyond the control of his parent or guardian.

(2) A child who runs away or is without lawful authority taken away from any place at which accommodation has been provided for him under Part X of this Law, whether by boarding-out or otherwise, may be apprehended without warrant and brought back to that place, or to such other place or person as may be directed by the authority having the care of him.

(3) If any person knowingly –

(*a*) assists or induces, or persistently attempts to induce, a child to run away from a person to whose care he has been committed as aforesaid or from a place at which accommodation has been provided for him as aforesaid ; or

(*b*) without lawful authority takes away a child from such a person or such a place ; or

(*c*) knowingly harbours or conceals a child who has so run away or has been so taken away, or prevents him from returning ;

he shall be liable to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

PART XIII

GENERAL

ARTICLE 101
SERVICES OF NOTICES ETC

(1) Any notice required by or under this Law to be given to any Committee of the States may be given either by leaving it at an office of that Committee or by post.

(2) Any notice required or authorised by or under this Law to be given to a person being a corporation shall be duly given if it is given to the secretary or clerk of the corporation.

(3) Subject to the provisions of this Article, any notice or the copy of any order required or authorised by or under this Law to be given to any person may be given either –

(*a*) by delivering it to that person ; or

(*b*) by leaving it at his proper address ; or

(*c*) by registered post ; or

(*d*) by the recorded delivery service.

(4) For the purposes of this Article, and of Article 12 of the Interpretation (Jersey) Law, 1954,[29] in its application to this Article, the proper address of any person to whom any such notice or copy of an order as aforesaid is to be given shall, in the case of the secretary or clerk of a corporation, be that of the registered or principal office of the corporation, and, in any other case, be the usual or last-known place of abode of the person to whom the notice or copy is to be given :

Provided that, where the person to whom the notice or copy is to be given has furnished an address for service in accordance with arrangements agreed to in that behalf, his proper address for the purposes aforesaid shall be the address furnished.

ARTICLE 102
DETERMINATION OF AGE

Where the age of any person at any time is material for the purposes of any provision of this Law relating to proceedings in any court, his age at the material time shall be deemed to be or to have been that which appears to the court, after hearing any available evidence, to be or to have been his age at that time.

ARTICLE 103
OBSTRUCTION OF OFFICERS ETC

If any person wilfully delays or obstructs any officer or other person in the exercise of any of his functions under this Law or any order or rules made thereunder, he shall be liable in the case of a first offence to a fine not exceeding fifty pounds and in the case of a second or subsequent offence to a fine not exceeding two hundred pounds.

ARTICLE 104
GENERAL PROVISION AS TO APPEALS

Any appeal to the Royal Court under this Law may be instituted, heard and determined either in term or in vacation.

ARTICLE 105
GENERAL PROVISIONS AS TO ORDERS AND RULES

(1) The Subordinate Legislation (Jersey) Law, 1960,[30] shall apply to orders and rules made by the Committee under this Law.

(2) The power to make rules of court under the Royal Court (Jersey) Law, 1948,[31] shall include power to make rules of court for the purposes of this Law and proceedings thereunder.

ARTICLE 106
AMENDMENT OF FAMILY ALLOWANCES LAW

The Family Allowances (Jersey) Law, 1951[32] shall be amended in manner provided by the Third Schedule to this Law.

ARTICLE 107
TRANSITIONAL PROVISIONS

This Law shall have effect subject to the transitional provisions set out in the Fourth Schedule to this Law.

ARTICLE 108
REPEALS

The enactments specified in the Fifth Schedule to this Law are hereby repealed.

ARTICLE 109
SHORT TITLE AND COMMENCEMENT

(1) This Law may be cited as the Children (Jersey) Law, 1969.

(2) This Law shall come into force on such day or days as the States may by Act appoint and different days may be fixed for different purposes and different provisions of this Law.

FIRST SCHEDULE
(Articles 10, 27, 36, 37 and 61)
OFFENCES AGAINST CHILDREN WITH RESPECT TO WHICH SPECIAL PROVISIONS OF THIS LAW APPLY

The murder or manslaughter of a child.
Infanticide.
Any offence against a child under any of the following provisions of the "Loi (1895) modifiant le droit criminel"[33] that is to say Articles 1, 2, 4, 5 and 6, and any attempt to commit against a child any offence under Article 5 or 6 of that Law.
Sodomy with a child, or an attempt to commit such an offence.
Incest with a child, or an attempt to commit such an offence.
Indecent assault on a child.
Stealing a child or receiving a stolen child.
Assault, whether common or aggravated, on a child.
Any offence under Article 9 of this Law.
Any other offence involving bodily injury to a child.

SECOND SCHEDULE
(Article 38)
JUVENILE COURT

1. Subject to the following provisions of this Schedule –

(*a*) the Juvenile Court shall consist of the Magistrate who shall act as chairman, and two other members, one of whom at least shall be a woman ;

(*b*) the other members shall be persons who have not attained the age of sixty years selected from a panel of persons appointed by the Superior Number of the Royal Court for the purpose.

2. No person shall remain on the said panel for a longer period than ten years, and the Superior Number of the Royal Court may make such additions thereto or deletions therefrom as it considers necessary.

3. Where the chairman is present, the Juvenile Court shall have power to act notwithstanding that any other member fails to attend and remain present during the sitting of the court, and all acts done by the court shall notwithstanding any such failure be as valid as if that member had so attended and remained.

4.-(1) The decision of the Juvenile Court on any matter before it shall be by a majority of the members and shall be pronounced by the chairman, or other member at the request of the chairman, and no other member of the court shall make any separate pronouncement thereon :

Provided that where the chairman and one other member only attend and remain present during the sitting of the court, the decision of the court shall, in the event of disagreement between the chairman and that other member, be the decision of the chairman and shall be pronounced by the chairman.

(2) Where during or after the hearing and before the determination of any matter before the Juvenile Court it appears to the chairman that there is, or is likely to be, any difference of opinion between the members, he shall cause the deliberations of the court on that matter to be conducted in private, and may if he thinks fit adjourn the case for the purpose.

THIRD SCHEDULE

(Article 105)

AMENDMENT OF FAMILY ALLOWANCES LAW[34]

For Article 14 there shall be substituted the following Article –

"ARTICLE 14

EXCLUSION OF CHILDREN REMOVED FROM CONTROL OF PARENTS

(1) A child shall not, for the purposes of this Law, be treated as included in any family as respects any period –

(*a*) during which his detention in an approved school is authorised under or by virtue of any provision of the Children (Jersey) Law, 1969, and the child is not absent from the school under supervision ;

(*b*) during which there is in force an order under the Children (Jersey) Law, 1969, committing the child to custody in any place to which he may be committed on remand ; or

(*c*) during which the child is liable to be detained by virtue of Article 12 or 13 of the Children (Jersey) Law, 1969, and is not discharged on licence.

(2) A child shall not, for the purposes of this Law, be treated as included in any family as respects any period during which there is in force an order under the Children (Jersey) Law, 1969, (other than Part V thereof) committing him to the care of the Committee.

(3) A child in respect of whom there is in force a parental rights order made under Article 83 of the Children (Jersey) Law, 1969, shall not, for the purposes of this Law, be treated as included in any family :

Provided that this paragraph shall not have effect as respects any period during which under the provisions of Article 84 or 85 of the said Law the child is allowed by the Committee or directed by the Royal Court to be, either for a fixed period or otherwise, under the control of a parent, guardian, relative, next-of-kin or friend of the child."

FOURTH SCHEDULE

(Article 106)

TRANSITIONAL PROVISIONS

1. In this Schedule, "the Law of 1935" means the "Loi appliquant à cette Ile certaines des dispositions de l'Acte de Parlement intitulé 'Children and Young Persons Act, 1933' (23 Geo. 5, c. 12)", confirmed by Order of His Majesty in Council of the twenty-first day of February, 1935.[35]

2. Where, before the commencement of Part IV of this Law, an order has been made under the Law of 1935 ordering a child to be sent to any institution in the

Island, this Law shall have effect in relation to the child as if the order were an order made under the said Part IV committing the child to the care of the Committee as a fit person :

Provided that, notwithstanding anything in this Law, the order shall not have effect for any longer period than the period for which it would have had effect if this Law had not been passed.

3. Where a child has, at the commencement of Part IV of this Law, been ordered to be sent to an approved school but has not reached the school, the like proceedings may be had and the like things done for the purpose of securing that he is sent to an approved school, and with respect to his custody in the meantime, as might have been had or done if this Law had not been passed.

4. Where, before the commencement of Part XI of this Law, a child has been ordered to be sent to an approved school or any institution in the Island and an order made under Article 14 of the Law of 1935 is in force requiring the father, mother or other person having the care or charge of the child to contribute towards his maintenance, this Law shall apply in relation to the order as if it were a contribution order made under Article 94 of this Law providing for the contributions under the order to be paid to the Prison Board or to the Committee, as the case may require.

FIFTH SCHEDULE
(Article 107)
ENACTMENTS REPEALED

1. Articles 7 and 8 of the "Loi (1895) modifiant le droit criminel".[36]

2. The "Loi appliquant à cette Ile certaines des dispositions de l'Acte de Parlement intitulé 'Children and Young Persons Act, 1933' (23 Geo. 5, c. 12)", confirmed by Order of His Majesty in Council of the twenty-first day of February, 1935.[37]

3. The "Loi (1940) concernant les témoignages d'enfants dans les poursuites criminelles".[38]

4. The "Loi (1940) sur la Protection de l'Enfance".[39]

5. The "Loi pour investir le Comité d'Instruction Publique des droits paternels à l'égard des personnes qui ont été trouvées par la Cour Royale en besoin de protection et qui ont été envoyées à une Institution dans cette Ile", confirmed by Order of the tenth day of March, 1947, of the Counsellors of State in Council on behalf of His Majesty.[40]

6. The Children (Criminal Proceedings) (Jersey) Law, 1956.[41]

7. Article 2 and paragraph (2) of Article 8 of the Criminal Justice (Jersey) Law, 1957.[42]

8. The "Loi pour modifier la Loi (1935) appliquant à cette Ile certaines des dispositions de l'Acte de Parlement intitulé 'Children and Young Persons Act, 1933' ", confirmed by Order of Her Majesty in Council of the twentieth day of December, 1957.[43]

A.D. LE BROCQ,
Greffier of the States.

---

1 Tome 1949–1950, page 52.
2 See now Mental Health (Jersey) Law, 1969.
3 Tome 1949–1950, page 426.
4 Tome 1957–1960, page 1.
5 Tome 1937–1938, page 59.
6 Tome 1937–1938, page 66.
7 Tome 1957–1960, page 493.
8 Tome 1961–1962, page 364.
9 Tomes IV–VI, page 303.
10 Tome 1963–1965, page 425.
11 Tome 1949–1950, page 441, Tome 1966–1967, pages 229 and 718 and R & O's 3085, 3624, 4058, 4131, 4419, 4635, 4642, 4895, 5174, 5218, 5377, 5392, 5519 and 5525.
12 Tomes I–III, page 290.
13 Tome 1957–1960, pages 23 and 24.
14 Tome 1937–1938, page 63.
15 Tome 1957–1960, page 1.
16 See page 67 of this Pamphlet.
17 Tomes I–III, page 205.
18 Tome 1949–1950, page 313 and Tome 1963–1965, page 160.
19 Tome 1949–1950, page 313.
20 Tome 1949–1950, page 299.
21 Tome 1949–1950, page 313.
22 Tome 1949–1950, page 313 and Tome 1963–1965, page 160.
23 Tome 1949–1950, page 313 and Tome 1963–1965, page 160.
24 See now Mental Health (Jersey) Law, 1969.
25 Tome 1949–1950, page 533 and Tome 1951–1953, page 115.
26 Tome 1951–1953, page 87, Tome 1957–1960, pages 95 and 435, Tome 1963–1965, page 115, Tome 1966–1967, page 433, Tome 1968–1969, page 75 and page 67 of this pamphlet.
27 Tome 1961–1962, page 368.
28 See page 67 of this pamphlet.
29 Tome 1954–1956, page 115.
30 Tome 1957–1960, page 519.
31 Tome 1946–1948, page 586.
32 Tome 1951–1953, page 103.
33 Tomes IV–VI, page 132, 134, 135 and 136.
34 Tome 1951–1953, page 103.
35 Tome VII, page 350 and Tome 1957–1960, pages 28 and 177.
36 Tomes IV-VI, pages 136 and 137.
37 Tome VII, page 350.
38 Tome 1939–1945, page 279.

39 Tome 1939–1945, page 280a.

40 Tome 1946–1948, page 133.

41 Tome 1954–1956, page 327.

42 Tome 1957–1960, pages 20 and 27.

43 Tome 1957–1960, page 177.

STATES OF JERSEY EDUCATION COMMITTEE, CHILDREN'S SECTION CO/1

Form of application for admission of a child to the care of the Education Committee

CHILD'S FULL NAME [redacted]

DATE OF BIRTH [redacted] PLACE OF BIRTH [redacted]

HOME ADDRESS -

RELIGION [redacted] DATE OF BAPTISM Infancy

REASON FOR ADMISSION Illegitimate child. Mother unable to cope.

HAS CHILD EVER BEEN RECEIVED INTO CARE BEFORE? -

FATHER'S NAME [redacted] DATE & PLACE OF BIRTH -

PRESENT ADDRESS N/K

NAME & ADDRESS OF EMPLOYER -

MOTHER'S NAME [redacted] DATE & PLACE OF BIRTH [redacted]

PRESENT ADDRESS N/K

NAME & ADDRESS OF EMPLOYER -

DATE & PLACE OF MARRIAGE -

FULL NAMES & DATES OF BIRTH OF OTHER CHILDREN IN FAMILY

-

PRESENT SCHOOL/~~EMPLOYERS~~ [redacted]

PREVIOUS SCHOOLS/EMPLOYERS -

MEDICAL DETAILS - Vaccinations and Innoculations

B.C.G.	YES/NO	Poliomyelitis	YES/NO
Diphtheria/Tetanus/Whooping Cough	YES/NO	Small-pox	YES/NO

Details of serious illnesses or disability

Name of Family Doctor ..... Address .....

ANY OTHER RELAVENT INFORMATION REGARDING CHILD OR FAMILY

Date: [redacted] Signed: [redacted]

Child Care Officer

Admitted to Care [redacted] subsequently covered by the Children (Jersey) Law, 1969, Article 82(H)

ADMISSION APPROVED ARTICLE [redacted]

INITIAL PLACEMENT [redacted]

Date: [redacted] Signed: [redacted]

Children's Officer

JERSEY R & O 5311

Children (Jersey) Law, 1969.

CHILDREN (BOARDING-OUT) (JERSEY) ORDER, 1970.

THE EDUCATION COMMITTEE, in pursuance of Article 91 of the Children (Jersey) Law, 1969,[1] hereby orders as follows: -

INTERPRETATION

1. In this Order, unless the context otherwise requires –

"suitable person" means a person with whom a child is for the time being, or is proposed to be, boarded out ;

"visitor" means a person carrying out on behalf of the Committee any of the duties under this Order to see children who are boarded out and to visit the home of a suitable person.

APPLICATION

2.-(1) Subject to the provisions of paragraphs (2) and (3) of this Article, this Order shall apply to the boarding-out by the Committee of a child in its care with a suitable person to live in his dwelling as a member of his family and the boarding of a child to which this Order applies as aforesaid is hereinafter referred to as "boarding-out", and "boarded out" shall be construed accordingly.

(2) For the purposes of this Order a child who is delivered into the care and possession of a person proposing to adopt him under the Adoption (Jersey) Laws, 1961 to 1966,[2] shall not be regarded as boarded out.

(3) For the purposes of this Order a child shall not be regarded as boarded out by reason only that he stays in the dwelling of any person for a holiday if the period of his stay does not exceed twenty-one days.

(4) Nothing in this Order shall require a child's temporary removal from a household in which he is already living, for the purpose only of complying with any provision thereof relating to a child before he is boarded out.

REFERENCES TO BE FURNISHED TO COMMITTEE

3. A child shall not be boarded out unless the suitable person has furnished to the Committee such references as it may require.

ARRANGEMENTS FOR MEDICAL AND DENTAL ATTENTION

4.-(1) The Committee shall ensure that every child who is boarded out is examined by a duly qualified medical practitioner within one month after being boarded out unless the child was examined three months before being boarded out.

(2) Arrangements shall be made for a written report on the physical health and mental condition of the child to be made by the practitioner to the Committee after each such examination as aforesaid.

(3) The Committee shall ensure that adequate arrangements are made for a child who is boarded out to receive medical and dental attention as required.

PRIOR VISITS TO AND REPORTS ABOUT HOME OF SUITABLE PERSON

5. A child shall not be boarded out unless –

(*a*) the person with whom and the dwelling where the child will live have been visited by a visitor who is personally acquainted with the child and his needs or, when that is not practicable, by a visitor who has been fully informed thereof, and the visitor has reported in writing that the sleeping and living accommodation and other domestic conditions at the dwelling are satisfactory and that the household is likely to suit the particular needs of the child ;

(*b*) information has been obtained by a visitor and a written report made by him –

(i) on the reputation and religious persuasion of the suitable person and his suitability in age, character, temperament and health to have the charge of the child ;

(ii) as to whether any member of the household is believed to be suffering from any physical or mental illness which might adversely affect the child or to have been convicted of any offence which would render it undesirable that the child should associate with him ; and

(iii) on the number, sex and approximate age of the persons in that household ;

(*c*) the available history of the child and the relevant reports indicate that boarding-out in that household would be in the best interests of the child.

RELIGIOUS PERSUASION

6. The Committee shall ensure that where possible a child shall be boarded out with a suitable person who either is of the same religious persuasion as the child or gives an undertaking that he will be brought up in that religious persuasion.

UNDERTAKING TO BE GIVEN BY SUITABLE PERSON

7.-(1) The Committee shall require the suitable person to sign an undertaking in respect of any child boarded out with him in the form set out in the Schedule to this Order, or in a form to the like effect.

(2) The said undertaking shall be kept by the Committee and a copy thereof shall be left with the fit person.

VISITS DURING BOARDING-OUT

8. It shall be the duty of the Committee to satisfy itself as to the wellbeing of any child boarded out and for that purpose to secure that, so far as it appears to the Committee to be appropriate the child is visited from time to time and that such advice is given as to the care and maintenance of the child as appears necessary.

REPORT BY VISITOR

9. Whenever, in pursuance of this Order, a visitor sees a child who is boarded out, he shall after considering the welfare, health, conduct and progress of the child and any complaint made by or concerning him, make a written report about the child and whenever a visitor so visits the dwelling of a suitable person he shall make a written report about its condition.

REVIEW OF WELFARE, HEALTH, CONDUCT AND PROGRESS

10.-(1) The Committee shall ensure that a review of the welfare, health, conduct and progress of every child who is boarded out is made in the light of the reports written about him in pursuance of this Order –

(*a*) within three months after the child is boarded out ; and

(*b*) thereafter, so long as he remains boarded out with the same suitable person, as often as is expedient in the particular case, but not less often than once in every six months.

(2) The said review shall be made, so far as is practicable, by persons who do not usually act as visitors and particulars of any action recommended as a result shall be forwarded to the Committee.

CITATION AND COMMENCEMENT

11. This Order may be cited as the Children (Boarding-Out) (Jersey) Order, 1969 and shall be deemed to have come into force on the first day of January, 1970.

A.D. LE BROCQ,
Greffier of the States.

29th January, 1970.

SCHEDULE
(Article 7)
FORM OF UNDERTAKING TO BE SIGNED BY SUITABLE PERSON

I, ... of..... having on the ..... day of....., 19..... received from the Education Committee (hereinafter called "the Committee") ..... who was born on the ..... day of ....., 19....., and whose religious persuasion is ....., into my home as a member of my family undertake that: -

1. I will care for and bring him/her up as I would a child of my own.

2. He/she will be brought up in, and will be encouraged to practise, his/her religion.

3. I will look after his/her health and consult a doctor whenever he/she is ill and will allow him/her to be medically examined at such times and places as the Committee may require.

4. I will inform the Committee immediately of any serious occurrence affecting the child.

5. I will at all times permit any person so authorized by the Committee to see him/her and visit my home.

6. I will allow him/her to be removed from my home when so requested by a person authorized by the Committee.

7. If I decide to change my dwelling I will notify the new address to the Committee beforehand.

(Sgd.).....

(Sgd.).....

Date .....

---

1 Recueil des Lois, Tome 1968–1969, page 328.

2 Recueils des Lois, Tome 1961–1962, page 363 Tome 1963–1965, page 103 and Tome 1966–1967, page 39.